

PETER C. ANDERSON
United States Trustee
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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re Marc Joseph Spizzirri,

Debtor in Possession

CASE NUMBER: 8:13-bk-14702-MW

CHAPTER 11

SUPPLEMENT IN SUPPORT OF
U.S. TRUSTEE'S MOTION TO CONVERT
CASE TO CHAPTER 7 PURSUANT TO
11 U.S.C. §1112(b); EXHIBITS

DATE: April 21, 2014
TIME: 2:00 p.m.
CTRM: 6C

The United States Trustee for Region 16 ("U.S. Trustee") submits the following supplement in support of his Motion to Convert Case to One Under Chapter 7 (the "Motion"), which was filed on March 13, 2014.

As fully set forth in the Motion, the U.S. Trustee has serious concerns regarding the Debtor's ability to reorganize and the reliability of the financial reports submitted. In response to the Motion, the Debtor filed six amended monthly operating reports ("MORs") which radically changed the Debtor's reported financial position. However, the information

1 contained in the amended MORs raise more questions regarding the Debtor's financial
2 condition and whether he has acted as a proper fiduciary during the pendency of this case.

3 **AMENDED MORS DISCLOSE THAT SUBSTANTIAL FUNDS HAVE**
4 **BEEN DEPOSITED INTO AND PAID OUT OF AN UNSCHEDULED**
5 **ACCOUNT IN THE NAME OF THE DEBTOR'S SPOUSE**

6 Almost two weeks after the U.S. Trustee filed the Motion, which *inter alia* noted that
7 Debtor's failure to account for basic household expenses such as food and gasoline, the
8 Debtor filed amended MORs for the months of June 2013 through December 2013. The
9 amended MORs report on substantial financial activity in a California Bank & Trust account
10 no. 9716 in the name of Candace C. Spizzirri POD Marc Spizzirri ("Account 9716").
11 Significantly, Account 9716 was **not** among the three California Bank & Trust accounts
12 listed on Schedule B, even though the Debtor should have, at least, a community property
13 interest in this asset. See Schedule B at Exhibit B attached to the Motion.
14

15 **DEBTOR FAILS TO DISCLOSE THE SOURCE OF**
16 **FUNDS DEPOSITED INTO ACCOUNT 9716**

17 In connection with the six amended MORs, the Debtor has filed copies of applicable
18 bank statements for Account 9716; however, the July 2013 statement was not provided.
19 The statements that were provided show substantial deposits made into Account 9716
20 during the pendency of Debtor's case, but fail to disclose the source of such payments.
21 Since Schedule I reports that the Debtor's spouse, Candace Spizzirri, earns no income,
22 substantial questions arise as to the source of the deposits into Account 9716 and whether
23 these funds were estate assets which should instead have been deposited into the Debtor's
24 DIP account. See Schedule I at Exhibit B attached to the Motion.
25
26
27
28

**DEBTOR FAILS TO DISCLOSE WHY A \$55,000 DEPOSIT WAS MADE INTO
ACCOUNT 9716 ON THE SAME DAY AS HIS CHAPTER 11 FILING AND
WHY A \$50,000 LOAN WAS MADE TO DEBTOR'S COMPANY
FROM THAT ACCOUNT THE DAY AFTER THE FILING**

Some of the transactions noted in Account 9716 raise substantial concern. On May 30, 2013, the date of the Debtor's Chapter 11 filing, a \$55,000 deposit was made into his wife's account -- Account 9716. The next day, May 31, 2013, a \$50,000 check written from Account 9716 payable to Family Equities cleared. The payment was disclosed and described (for the first time) on the amended June 2013 MOR as a "loan re Family Collectibles, LLC, " which is listed as an estate asset on Schedule B. See Schedule B attached as Exhibit B to the Motion and Amended June MOR attached as Exhibit A hereto. No explanation or Court authorization has been provided for this post-petition "loan" and it was not disclosed until recently, when amended MORs were filed in response to the Motion.

**AMENDED MORS REPORT RADICALLY
DIFFERENT INCOME AND EXPENSES**

Debtor's amended MORs report substantial financial activity that went unreported for months. While his original June 2013 MOR reported no deposits for the month, the amended MOR for the same month reports deposits of \$70,100, all of which were made to Account 9716 rather than to the DIP account. As noted earlier, there is no information regarding the source of these deposits which would enable interested parties to determine whether these deposits were estate funds which should have been maintained in the DIP account.

Until the Motion was filed, the Debtor's original MORs substantially understated deposits and withdrawals. While original MORs list total deposits of \$43,437 from June 2013 through December 2013. amended MORs for the same period reported deposits of

1 \$148,036. Similarly, reported withdrawals for the six month period were modified form
2 \$39,938 to \$162,204. See spreadsheet summarizing deposits and disbursements in original
3 and amended MORs, together with original and amended MORs for June 2013 through
4 December 2013 at Exhibits A and B attached hereto. These significant amendments
5 indicate that the Debtor's original financial reporting was woefully inaccurate.
6

7 **FEBRUARY 2014 MOR REPORTS NEGATIVE BANK BALANCE**

8 In addition to the information gleaned from the amended MORs, the Debtor's most
9 current financial report, which covers the month of February 2014, provides additional
10 concern regarding the Debtor's ability to fund a reorganization as it reports a negative month
11 end balance of \$719. See February 2014 MOR at Exhibit E.
12

13 **CONCLUSION**

14 Based on the foregoing, the U.S. Trustee respectfully requests that the Court grant
15 the Motion and convert the Debtor's case to one under Chapter 7.
16

17 Respectfully Submitted,

18 Dated: April 3, 2014

19 /s/ Nancy S. Goldenberg
NANCY S. GOLDENBERG
Attorney for U.S. Trustee
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Exhibit "A"

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number: 8:13-bk-14702 MW

Operating Report Number: 1 (Amended)

For the Month Ending: 30-Jun-13

I. CASH RECEIPTS AND DISBURSEMENTS
A. (GENERAL ACCOUNT* AND SPOUSE ACCOUNT)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ -
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ -
3. BEGINNING BALANCE:	\$ -
4. RECEIPTS DURING CURRENT PERIOD:	\$ 70,100.00
5. BALANCE:	\$70,100.00
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 68,811.17
7. ENDING BALANCE:	\$ 1,298.83
8. General Account Number(s):	55-00001247
Spouse's Account Number:	3150179716
Depository Name & Location:	EastWest Bank California Bank & Trust 9300 Flair Drive, Suite 106 PO Box 489 El Monte, CA 91731 Lawndale, CA 90260

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

[illegible]

BANK RECONCILIATION

Bank statement Date: 6/30/2013 Balance on Statement: <-\$10.00>

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>7/19/2013</u>	<u>\$ 11,500.00</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

TOTAL DEPOSITS IN TRANSIT

11,500.00

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5001</u>	<u>7/19/2013</u>	<u>\$ 325.00</u>
<u>5002</u>	<u>7/22/2013</u>	<u>\$ 1,043.83</u>
<u>5003</u>	<u>7/27/2013</u>	<u>\$ 692.00</u>
<u>5004</u>	<u>7/30/2013</u>	<u>\$ 169.16</u>
<u>5005</u>	<u>7/30/2013</u>	<u>\$ 69.60</u>
<u>5006</u>	<u>7/30/2013</u>	<u>\$ 112.70</u>
<u>5007</u>	<u>7/30/2013</u>	<u>Void</u>
<u>5008</u>	<u>7/30/2013</u>	<u>\$ 340.20</u>
<u>5009</u>	<u>7/30/2013</u>	<u>\$ 281.58</u>
<u>5010</u>	<u>7/30/2013</u>	<u>\$ 249.66</u>
<u>5011</u>	<u>7/30/2013</u>	<u>\$ 429.00</u>
<u>5012</u>	<u>7/30/2013</u>	<u>Void</u>
<u>5013</u>	<u>7/30/2013</u>	<u>\$ 308.40</u>
<u>5014</u>	<u>7/30/2013</u>	<u>\$ 1,416.00</u>
<u> </u>	<u> </u>	<u> </u>
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TOTAL OUTSTANDING CHECKS:

5,437.13

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

\$5,427.13

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

Check No.	Date	Amount	Payee	Purpose
Auto	6/6/2013	\$ 7.00	Ford Credit	Automobile
Auto	6/6/2013	\$ 586.55	Ford Credit	Automobile
Auto	6/10/2013	\$ 273.62	DirectTV	Utilities
Auto	6/11/2013	\$ 814.61		
Auto	4/19/1909	\$ 3,397.26		
Auto	6/13/2013	\$ 131.44	SDG & E	Utilities
Auto	6/13/2013	\$ 368.20	Cox	Utilities
Auto	6/14/2013	\$ 281.58	Liberty Mutual	Insurance
Auto (5025)	6/18/2013	\$ 28.31	Rite Aid	Goods
Auto (5006)	6/25/2013	\$ 38.96	Rite Aid	Goods
93	5/31/2013	\$ 160.00		
94	5/31/2014	\$ 50,000.00	Family Equities	Loan Re Family Collectibles
95	6/4/2013	\$ 2,498.87		
96	6/3/2013	\$ 300.00		
98	6/10/2013	\$ 120.00		
99	6/10/2013	\$ 189.14		
501	6/10/2013	\$ 1,119.30		
501	6/14/2013	\$ 2,214.60		
503	6/13/2013	\$ 122.00		
504	6/12/2013	\$ 78.00		
505	6/12/2013	\$ 78.00		
506	6/12/2013	\$ 462.62		
508	6/17/2013	\$ 1,352.00		
509	6/13/2013	\$ 400.00		
511	6/12/2013	\$ 112.00		
512	6/17/2013	\$ 139.01		
514	6/17/2013	\$ 565.00		
517	6/18/2013	\$ 216.00		
518	6/14/2013	\$ 53.85		
520	6/11/2013	\$ 80.63		
521	6/12/2013	\$ 83.75		
522	6/14/2013	\$ 140.00		
523	6/13/2013	\$ 248.00		
524	6/18/2013	\$ 119.68		
526	6/18/2013	\$ 108.74		
527	6/18/2013	\$ 72.67		
528		Void		
4731	6/11/2013	\$ 50.00		
4740	6/7/2013	\$ 60.00		
5000	6/24/2013	\$ 50.24	Vons	Food and goods
5001	6/25/2013	\$ 12.92	Marshals	Clothing
5002	6/21/2013	\$ 105.00	Fred Frankenrath	Hair styling
5003	6/25/2013	\$ 180.08	Costco	Food and goods
5004	6/24/2013	\$ 33.56	Ralphs	Food and goods
5005	6/24/2013	\$ 1,010.00	Ruffra	Cleaning services
3495355	6/4/2013	\$ 347.98		

Total		\$ 68,811.17		
Deposits	Date	Amount		
	5/30/2013	\$ 100.00		
	5/30/2013	\$ 55,000.00		
Total	6/10/2013	\$ 15,000.00		
		\$ 70,100.00		

II. STATUS OF PAYMENT DOCUMENTS, LESSORS
AND OTHER PARTIES TO EXECUTORY CONTRACTS

TOTAL DUE:	\$ 36,917.00
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V. INSURANCE COVERAGE

Page 4 of 8

000006

(Provide a copy of of monthly account statements for each of the below)

*Other Accounts:		
*Other Monies:		
	**Petty Cash (from below):	0.00

<-\$10.00>

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

0.00

000007

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]


Page 7 of 8

000009

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization in the early stages of reorganization.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

3/26/2014
Date


Principal for debtor-in-possession


EAST WEST BANK *Your Financial Bridge*

 9300 Flair Drive Suite 108
 El Monte CA 91731

 Direct inquiries to:
 888 895-5650

ACCOUNT STATEMENT

Page 1 of 1

STARTING DATE: June 05, 2013

ENDING DATE: June 30, 2013

Total days in statement period: 26

55-00001247

(0)

 MARC JOSEPH SPIZZIRRI
 CHAPTER 11 DEBTOR IN POSSESSION
 CASE NO. 13-14702
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO CA 92675

 All East West Bank branches have
 HKD, NYD, and RMB currencies on
 hand readily available for customers
 to purchase. Save time and money by
 getting your foreign currency before
 your trip. Visit a local branch for
 details.

Standard Business Checking

 Account number 55-00001247
 Low balance \$0.00
 Average balance \$0.00

 Beginning balance \$0.00
 Total additions \$0.00
 Total subtractions \$10.00
 Ending balance \$10.00

DEBITS

 Date Transaction Description
 06-30 Maintenance Fee

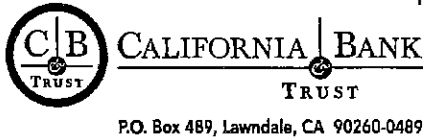
 Subtractions
 10.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
06-30	-10.00				

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00



Statement of Accounts

Page 1 of 4

This Statement: June 25, 2013

Last Statement: May 29, 2013

Account 3150179716

DIRECT INQUIRIES TO:

Customer Service 1 (800) 400-6080

0003249

4177-06-0000-CBT-PC0021-00000

CANDACE C SPIZZIRRI
POD MARC SPIZZIRRI
30721 HUNT CLUB DR
SAN JUAN CAPISTRANO CA 92675-1915

San Juan Capistrano
32221 Camino Capistrano
San Juan Capistrano, CA 92675-3721
(949) 248-0100

SUMMARY OF ACCOUNT BALANCE

Account Type	Account Number	Checking/Savings Ending Balance	Outstanding Balances Owed
Classic Checking	3150179716	\$1,288.83	

CLASSIC CHECKING 3150179716

Previous Balance	Deposits/Credits	Charges/Debits	Checks Processed	Ending Balance
0.00	70,100.00	5,927.53	62,883.64	1,288.83

3 DEPOSITS/CREDITS

Date	Amount	Description
05/30	100.00	DEPOSIT 9494238332
05/30	55,000.00	DEPOSIT 9494238476
06/10	15,000.00	DEPOSIT 5353143620

10 CHARGES/DEBITS

Date	Amount	Description
06/03	7.00	FORD CREDIT CONV FEE 00575083053013 REF # 013154003238358 1100854671
06/03	586.55	FORD CREDIT AUTO PYMT 00601096053013 REF # 013154003238390 1100854672
06/10	273.62	DIRECTV DIRECTV 5541333 REF # 013161007223987 1104230745
06/11	814.61	PAY SEQ # 001104201959 1701200512
06/11	3,397.26	PAY SEQ # 001104202768 1701200505
06/13	131.44	SDG&E ARC PYMT 0519 REF # 013163008829655 1103813320
06/13	368.20	Cox Comm - ORG CHECK PY 0513 REF # 013164009060164 1103823221
06/14	281.58	LibertyMutualIns INSPay 0510 REF # 013164009494742 1104125264
06/18	28.31	RITE AID 05750 PURCHASE 525 SANJCAREF # 013168010732871 1103517267
06/25	38.96	RITE AID 05750 PURCHASE 5006 SANJCAREF # 013175003580434 1103717395

35 CHECKS PROCESSED

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
93	05/31	180.00	503	06/13	122.00	514*	06/17	565.00
94	05/31	50,000.00	504	06/12	78.00	517*	06/18	216.00
95	06/04	2,498.87	505	06/12	78.00	518	06/14	53.85
96	06/03	300.00	506	06/12	462.62	520*	06/11	80.63
98*	06/10	120.00	508*	06/17	1,352.00	521	06/12	83.75
99	06/10	189.14	509	06/13	400.00	522	06/14	140.00
501*	06/14	1,119.30	511*	06/12	112.00	523	06/13	248.00
502	06/14	2,214.60	512	06/17	139.01	524	06/18	119.68



MEMBER FDIC

EXHIBIT "A"

000012
000012-0005361

This balance should agree with line 5, above.

000013



CALIFORNIA BANK
TRUST

P.O. Box 489, Lawndale, CA 90260-0489

Page 3 of 4

June 25, 2013

CANDACE C SPIZZIRRI

3150179716

Continued ...

Number.....	Date.....	Amount	Number.....	Date.....	Amount	Number.....	Date.....	Amount
526*	06/18	108.74	5000*	06/24	50.24	5004	06/24	33.56
527	06/18	72.67	5001	06/25	12.92	5005	06/24	1,010.00
4731*	06/11	50.00	5002	06/21	105.00	3495355*	06/04	347.98
4740*	06/07	60.00	5003	06/25	180.08			

* Not in check sequence

AGGREGATE OVERDRAFT AND RETURNED ITEM FEES

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.

DAILY BALANCES

Date.....	Balance	Date.....	Balance	Date.....	Balance
05/30	55,100.00	06/10	15,556.84	06/17	3,264.99
05/31	4,940.00	06/11	11,214.34	06/18	2,719.59
06/03	4,046.45	06/12	10,399.97	06/21	2,614.59
06/04	1,199.60	06/13	9,130.33	06/24	1,520.79
06/07	1,139.60	06/14	5,321.00	06/25	1,288.83



MEMBER FDIC

EXHIBIT "A"

000014-0005362

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EXHIBIT "A"

000015 00000000-0005362

In re:
Marc Joseph Spizzirri

Debtor(s).

CHAPTER: 11

CASE NUMBER: 8:13-bk-14702 MW

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **(AMENDED) OPERATING REPORT NO. 1** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 26, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

3/26/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re:
Marc Joseph Spizzirri

Debtor(s).

CHAPTER 11

CASE NUMBER 8:13-bk-14702 MW

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
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pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
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- Leonard M Shulman lshulman@shblp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@intl原因.com, nlockwood@intl原因.com;jokeefe@intl原因.com
- United States Trustee (SA) ustregion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com
- Barouir B Yeretian byeretian@jhindslaw.com, yeretzian@gmail.com

Exhibit "B"

Marc Joseph Spizzirri
8:13-bk-14702-MW

<u>Period</u>	<u>Original MORs Filing Date</u>	<u>Original MORs Deposits Identified</u>	<u>Original MORs Disburse. Identified</u>	<u>Period</u>	<u>Amended MORs filed 3/26/2014 Deposits Identified</u>	<u>Amended MORs filed 3/26/2014 Disburse. Identified</u>
Jun-13	8/1/2013	\$0.00	\$100.00	Jun-13	\$70,100.00	\$68,811.17
Jul-13	8/21/2013	\$11,510.00	\$1,745.87	Jul-13	\$19,510.00	\$10,876.52
Aug-13	9/17/2013	\$12,593.74	\$12,138.80	Aug-13	\$19,793.14	\$19,351.95
Sep-13	10/16/2013	\$0.00	\$9,172.17	Sep-13	\$4,300.00	\$13,521.38
Oct-13	11/22/2013	\$4,333.50	\$4,905.68	Oct-13	\$8,333.50	\$7,478.29
Nov-13	1/3/2014	\$0.00	\$137.85	Nov-13	\$3,000.00	\$3,535.98
Dec-13	1/10/2014	\$15,000.00	\$11,737.86	Dec-13	\$23,000.00	\$20,627.77
				Jan-14	\$9,788.03	\$12,478.56
				Feb-14	\$3,650.00	\$5,523.11
June-Dec. totals		\$43,437.24	\$39,938.23		\$148,036.64	\$162,204.73

In Re: MARC JOSEPH SPIZZIRRI Debtor(s).	CHAPTER 11 (NON-BUSINESS) Case Number: 8:13-bk-14702 MW Operating Report Number: 1 For the Month Ending: 30-Jun-13
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I. CASH RECEIPTS AND DISBURSEMENTS
A. (GENERAL ACCOUNT*)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ -
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ -
3. BEGINNING BALANCE:	\$ -
4. RECEIPTS DURING CURRENT PERIOD:	
5. BALANCE:	\$ 10.00
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 10.00
7. ENDING BALANCE:	<-\$10.00>
8. General Account Number(s):	55-00001247
Depository Name & Location:	EastWest Bank 9300 Flair Drive, Suite 106 El Monte, CA 91731

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

Page 2 of 8

Bank statement Date: 6/5/2013 Balance on Statement: <-\$10.00>

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>7/19/2013</u>	<u>\$ 11,500.00</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

TOTAL DEPOSITS IN TRANSIT

11,500.00

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5001</u>	<u>7/19/2013</u>	<u>\$ 325.00</u>
<u>5002</u>	<u>7/22/2013</u>	<u>\$ 1,043.83</u>
<u>5003</u>	<u>7/27/2013</u>	<u>\$ 692.00</u>
<u>5004</u>	<u>7/30/2013</u>	<u>\$ 169.16</u>
<u>5005</u>	<u>7/30/2013</u>	<u>\$ 69.60</u>
<u>5006</u>	<u>7/30/2013</u>	<u>\$ 112.70</u>
<u>5007</u>	<u>7/30/2013</u>	<u>Void</u>
<u>5008</u>	<u>7/30/2013</u>	<u>\$ 340.20</u>
<u>5009</u>	<u>7/30/2013</u>	<u>\$ 281.58</u>
<u>5010</u>	<u>7/30/2013</u>	<u>\$ 249.66</u>
<u>5011</u>	<u>7/30/2013</u>	<u>\$ 429.00</u>
<u>5012</u>	<u>7/30/2013</u>	<u>Void</u>
<u>5013</u>	<u>7/30/2013</u>	<u>\$ 308.40</u>
<u>5014</u>	<u>7/30/2013</u>	<u>\$ 1,416.00</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

TOTAL OUTSTANDING CHECKS:

5,437.13

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

\$5,427.13

II. STATUS OF PAYMENTS TO SECURED CREDITORS, LESSORS

TOTAL DUE:	\$ 36,917.00
------------	--------------

V. INSURANCE COVERAGE

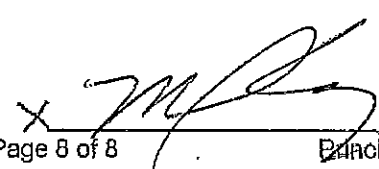
Page 4 of 8

~~000022~~

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization in the early stages of reorganization.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

8/1/2013
Date

X 
Page 8 of 8

Principal for debtor-in-possession



EAST WEST BANK *Your Financial Bridge*

9300 Flair Drive Suite 106
El Monte CA 91731

Direct Inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 1

STARTING DATE: June 05, 2013

ENDING DATE: June 30, 2013

Total days in statement period: 26

55-00001247

(0)

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675

All East West Bank branches have HKD, NTD, and RMB currencies on hand readily available for customers to purchase. Save time and money by getting your foreign currency before your trip. Visit a local branch for details.

Standard Business Checking

Account number 55-00001247
Low balance \$0.00
Average balance \$0.00

Beginning balance \$0.00
Total additions 10.00
Total subtractions 10.00
Ending balance \$0.00

DEBITS

Date Transaction Description
06-30 Maintenance Fee

Subtractions
10.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
06-30	-10.00				

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

In re: Marc Joseph Spizzirri	Debtor(s).	8:13-bk-14702 CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
--	------------	--

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **OPERATING REPORT NO. 1 (JUNE 30, 2013)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **AUGUST 1, 2013**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **AUGUST 1, 2013** I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Mark S. Wallace (Via U.S. Mail)
United States Bankruptcy Court
Central District of California
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 6135
Santa Ana, CA 92701-4593

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

8/1/2013
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702
--	------------	---

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@thelobelfirm.com, jmattiace@thelobelfirm.com; nlockwood@thelobelfirm.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Leonard M Shulman lshulman@shbllp.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wgllp.com, lfisk@wgllp.com

2. SERVED BY UNITED STATES MAIL:

See attached list of 20 largest unsecured creditors, and those who requested special notice.

Asbury Automotive Group
Kelly J. Baker, Senior Attorney
2905 Premiere Parkway, NW
Suite 300
Duluth, GA 30097

Bank of America
900 Samoset Drive
DES 023 03 02
Newark, DE 19713-6000

Bank Of America
Managing Agent, Officer & Director
PO Box 982235
El Paso, TX 79998

Bank of America
Dan Butler, Senior VP
111 Westminster Street
Providence, RI 02903

Bank of America, N.A.
1 Financial Plaza
Mailstop: RII-537-01
Attn Dan Butler
Providence, RI 02903

Cash Management Solutions
1850 Borman Ct
Saint Louis, MO 63146

Citibank
Citicorp Credit Services/Centralize
Managing Agent, Officer or Director
PP Box 20507
Kansas City, MO 64195

Citicards
1500 Bottonfield Street
Columbus, OH 43228

~~Frank W. Battaile~~
~~Law Office of Frank W. Battaile~~
~~575 Anton Blvd~~
~~Suite 300~~
~~Costa Mesa, CA 92626~~
(Returned to Sender 7/8/2013)

GemCap Lending I LLC
Managing Agent, Officer or Director
24955 Pacific Coast Highway
Suite A202
Malibu, CA 90265

Halbert B Rasmussen
Manning Leaver Bruder, et al
5750 Wilshire Blvd
Suite 655
Los Angeles, CA 90036-3637

Hines Carder
Managing Agent, Officer or Director
3090 Bristol Street
Suite 300
Costa Mesa, CA 92626

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19114-7346

Jay Freedman
Law Office of Jay Freedman
2459 Eastbluff Ave
Newport Beach, CA 92660

Jennifer Jackson/Shelly C. Gopaul
Bryan Cave, LLP
120 Broadway
Suite 300
Santa Monica, CA 90401

Joshua M. Wolff
Wolff Law Corporation
9160 Irvine Center Dr
Suite 200
Irvine, CA 92618-4683

Mach 1 Autogroup, Mach 1 RSMH and
Craig Baptiste
c/o Stephen Marcus/Gittler Bradford
10537 Santa Monica Blvd Third Floor
Los Angeles, CA 90025

Marsha Houston/Christopher Rivas
Reed Smith LLP
355 South Grand Ave
Suite 2900
Los Angeles, CA 90071

Nichols Capistrano Associates
c/o Layne L. Liddle/George Liddle
Law Offices of Liddle & Liddle
310 S Vermont Ave
Glendora, CA 91741

Nuttell & Company
Bruce Nuttall
1240 North Van Buren Street
Suite 103
Anaheim, CA 92807

Ogletree Deakins Nash Smoak et al
Managing Agent, Officer or Director
695 Town Center Dr
Suite 1500
Costa Mesa, CA 92626

Pacific Mercantile Bank
Managing Agent, Officer or Director
949 South Coast Dr
Suite 105
Costa Mesa, CA 92626

Robert A. Boghosian
Cohen Tauber Spievack & Wagner
420 Lexington Avenue
Suite 2400
New York, NY 10170

Rutan & Tucker
Managing Agent, Officer & Director
611 Anton Boulevard
Costa Mesa, CA 92626

Sean M Sherlock/Lyndsey A Torp
Snell & Wilmer, LLP
600 Anton Blvd
Suite 1400
Costa Mesa, CA 92626

Fred Harper
c/o Kennan E. Kaeder
Attorney at Law
110 West C Street, Suite 1300
San Diego, CA 92101

WM Capital Partners
Managing Agent, Officer or Director
500 Fifth Ave., Suite 2440
New York, NY 10110

WM Capital Partners
Managing Agent, Officer or Director
Tindall Square Building
505 Pecan St., Suite 101
Fort Worth, TX 76102

Frank W. Battaile
Law Office of Frank W. Battaile
2301 Dupont Dr., Suite 530
Irvine, CA 92626-7502

In Re: MARC JOSEPH SPIZZIRRI <div style="text-align: right;">Debtor(s).</div>	CHAPTER 11 (NON-BUSINESS) Case Number: 8:13-bk-14702 MW Operating Report Number: 2 For the Month Ending: 31-Jul-13
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I. CASH RECEIPTS AND DISBURSEMENTS
 A. (GENERAL ACCOUNT*)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ -
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 10.00
	\$ -
3. BEGINNING BALANCE:	<\$10.00>
4. RECEIPTS DURING CURRENT PERIOD:	\$ 11,510.00
5. BALANCE:	\$ 11,500.00
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 1,745.87
7. ENDING BALANCE:	\$ 9,754.13
8. General Account Number(s):	55-00001247
Depository Name & Location:	EastWest Bank 9300 Flair Drive, Suite 106 El Monte, CA 91731

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

[illegible]

Bank statement Date: 6/5/2013 Balance on Statement: <-\$10.00>

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>7/19/2013</u>	<u>\$ 11,500.00</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

TOTAL DEPOSITS IN TRANSIT

11,500.00

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5001</u>	<u>7/19/2013</u>	<u>\$ 325.00</u>
<u>5004</u>	<u>7/30/2013</u>	<u>\$ 169.16</u>
<u>5005</u>	<u>7/30/2013</u>	<u>\$ 69.60</u>
<u>5006</u>	<u>7/30/2013</u>	<u>\$ 112.70</u>
<u>5007</u>	<u>7/30/2013</u>	<u>Void</u>
<u>5008</u>	<u>7/30/2013</u>	<u>\$ 340.20</u>
<u>5009</u>	<u>7/30/2013</u>	<u>\$ 281.58</u>
<u>5010</u>	<u>7/30/2013</u>	<u>\$ 249.66</u>
<u>5011</u>	<u>7/30/2013</u>	<u>\$ 429.00</u>
<u>5012</u>	<u>7/30/2013</u>	<u>Void</u>
<u>5013</u>	<u>7/30/2013</u>	<u>\$ 308.40</u>
<u>5014</u>	<u>7/30/2013</u>	<u>\$ 1,416.00</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

TOTAL OUTSTANDING CHECKS:

3,701.30

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

\$6,052.83

* It is acceptable to replace this form with a similar form
 ** Please attach a detailed explanation of any bank statement adjustment

TOTAL DUE:	\$ 73,834.00
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V. INSURANCE COVERAGE

Homeowners (San Juan Property)	Allstate Insurance	\$ 4,031,350.00	2/16/2014	Monthly
Homeowners (Hawaii Property)	Liberty Mutual	\$ 3,473,400.00	11/18/2013	11/18/2013
Casualty				
Vehicle				
Others:				
	Page 4 of 8			

[illegible]

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

XI. QUESTIONNAIRE

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____

2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____

3. State what progress was made during the reporting period toward filing a plan of reorganization in the early stages of reorganization.

4. Describe potential future developments which may have a significant impact on the case:

5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.

6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

8/20/2013
Date

MJS
Principal for debtor-in-possession



EAST WEST BANK
Your Financial Bridge[®]
9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 3
STARTING DATE: July 01, 2013
ENDING DATE: July 31, 2013
Total days in statement period: 31
55-00001247
(2)



OZ 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675

All East West Bank branches have HKD, NTD, and RMB currencies on hand readily available for customers to purchase. Save time and money by getting your foreign currency before your trip. Visit a local branch for details.



Standard Business Checking

Account number	55-00001247	Beginning balance	\$-10.00
Enclosures	2	Total additions	(2) 11,510.00
Low balance	\$-10.00	Total subtractions	(3) 1,745.87
Average balance	\$3,433.90	Ending balance	\$9,754.13

CREDITS

Number	Date	Transaction Description	Additions
	07-22	Credit Memo REV MAINT FEE 06-30-13	10.00
	07-22	Deposit	11,500.00

CHECKS

Number	Date	Amount	Number	Date	Amount
5002	07-26	1,043.87	5003	07-29	692.00

DEBITS

Date	Transaction Description	Subtractions
07-31	Maintenance Fee	10.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
06-30	-10.00	07-26	10,456.13	07-31	9,754.13
07-22	11,500.00	07-29	9,764.13		





EAST WEST BANK *Your Financial Bridge™*
9300 Flair Drive Suite 106
El Monte CA 91731
MARC JOSEPH SPIZZIRRI

ACCOUNT STATEMENT

Page 2 of 3
STARTING DATE: July 01, 2013
ENDING DATE: July 31, 2013
55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





EAST WEST BANK Your Financial Bridge[®]

Checking Account 5500001247
Statement Date 07/31/2013
Page 3 of 3

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-4702
33033 CAMINO CARPENTANO
SAN JUAN CAPISTRANO, CA 92675
DATE 7/26/13
PAY TO THE ORDER OF City of San Juan Capistrano \$1,043.87
City of San Juan Capistrano \$1,043.87
FOR DEPOSIT ONLY
EAST WEST BANK
100000104387
0005003* 1232207038145500001247* 00000104387*

07/26/2013 5002 \$1,043.87

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-4702
33033 CAMINO CARPENTANO
SAN JUAN CAPISTRANO, CA 92675
DATE 7/29/13
PAY TO THE ORDER OF City of San Juan Capistrano \$692.00
City of San Juan Capistrano \$692.00
FOR DEPOSIT ONLY
EAST WEST BANK
100000104387
0005003* 1232207038145500001247* 00000104387*

07/29/2013 5003 \$692.00



In re: Marc Joseph Spizzirri	Debtor(s).	8:13-bk-14702 CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**840 Newport Center Drive
Suite 750
Newport Beach, CA 92660**

A true and correct copy of the foregoing document entitled: **OPERATING REPORT NO. 2** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **AUGUST 21, 2013**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:** On **AUGUST 21, 2013** I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

8/21/2013
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702
--	------------	---

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@thelobelfirm.com, jmattiace@thelobelfirm.com;nlockwood@thelobelfirm.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Leonard M Shulman lshulman@shbllp.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com

2. SERVED BY UNITED STATES MAIL

See attached list of 20 largest unsecured creditors and those who requested special notice.

Asbury Automotive Group
Kelly J. Baker, Senior Attorney
2905 Premiere Parkway, NW
Suite 300
Duluth, GA 30097

Bank of America
900 Samoset Drive
DES 023 03 02
Newark, DE 19713-6000

Bank Of America
Managing Agent, Officer & Director
PO Box 982235
El Paso, TX 79998

Bank of America
Dan Butler, Senior VP
111 Westminster Street
Providence, RI 02903

Bank of America, N.A.
1 Financial Plaza
Mailstop: RII-537-01
Attn Dan Butler
Providence, RI 02903

Cash Management Solutions
1850 Borman Ct
Saint Louis, MO 63146

Citibank
Citicorp Credit Services/Centralize
Managing Agent, Officer or Director
PP Box 20507
Kansas City, MO 64195

Citicards
1500 Bottonfield Street
Columbus, OH 43228

Frank W. Battaile
Law Office of Frank W. Battaile
575 Anton Blvd
Suite 300
Costa Mesa, CA 92626
(Returned to Sender 7/8/2013)

GemCap Lending I LLC
Managing Agent, Officer or Director
24955 Pacific Coast Highway
Suite A202
Malibu, CA 90265

Halbert B Rasmussen
Manning Leaver Bruder, et al
5750 Wilshire Blvd
Suite 655
Los Angeles, CA 90036-3637

Hines Carder
Managing Agent, Officer or Director
3090 Bristol Street
Suite 300
Costa Mesa, CA 92626

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19114-7346

Jay Freedman
Law Office of Jay Freedman
2459 Eastbluff Ave
Newport Beach, CA 92660

Jennifer Jackson/Shelly C. Gopaul
Bryan Cave, LLP
120 Broadway
Suite 300
Santa Monica, CA 90401

Joshua M. Wolff
Wolff Law Corporation
9160 Irvine Center Dr
Suite 200
Irvine, CA 92618-4683

Mach 1 Autogroup, Mach 1 RSMH and
Craig Baptiste
c/o Stephen Marcus/Gittler Bradford
10537 Santa Monica Blvd Third Floor
Los Angeles, CA 90025

Marsha Houston/Christopher Rivas
Reed Smith LLP
355 South Grand Ave
Suite 2900
Los Angeles, CA 90071

Nichols Capistrano Associates
c/o Layne L. Liddle/George Liddle
Law Offices of Liddle & Liddle
310 S Vermont Ave
Glendora, CA 91741

Nuttell & Company
Bruce Nuttall
1240 North Van Buren Street
Suite 103
Anaheim, CA 92807

Ogletree Deakins Nash Smoak et al
Managing Agent, Officer or Director
695 Town Center Dr
Suite 1500
Costa Mesa, CA 92626

Pacific Mercantile Bank
Managing Agent, Officer or Director
949 South Coast Dr
Suite 105
Costa Mesa, CA 92626

Robert A. Boghosian
Cohen Tauber Spievack & Wagner
420 Lexington Avenue
Suite 2400
New York, NY 10170

Rutan & Tucker
Managing Agent, Officer & Director
611 Anton Boulevard, Suite 1400
Costa Mesa, CA 92626

Sean M Sherlock/Lyndsey A Torp
Snell & Wilmer, LLP
600 Anton Blvd
Suite 1400
Costa Mesa, CA 92626

Fred Harper
~~c/o Kennan E. Kaeder~~
~~Attorney at Law~~
~~110 West C Street, Suite 1300~~
~~San Diego, CA 92101~~

WM Capital Partners
Managing Agent, Officer or Director
500 Fifth Ave., Suite 2440
New York, NY 10110

WM Capital Partners
Managing Agent, Officer or Director
Tindall Square Building
505 Pecan St., Suite 101
Fort Worth, TX 76102

Frank W. Battaile
Law Office of Frank W. Battaile
2301 Dupont Dr., Suite 530
Irvine, CA 92626-7502

Fred Harper
c/o Brian W. Shook, Esq.
2132 Market Street
Camp Hill, PA 17011

UNITED STATES DEPARTMENT OF JUSTICE
Main Document Page 1 of 44
OFFICE OF THE UNITED STATES TRUSTEE

CENTRAL DISTRICT OF CALIFORNIA

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number:	8:13-bk-14702 MW
Operating Report Number:	3
For the Month Ending:	31-Aug-13

I. CASH RECEIPTS AND DISBURSEMENTS

A. (GENERAL ACCOUNT*)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 11,510.00
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 1,755.87
	\$ -
3. BEGINNING BALANCE:	\$ 9,754.13
4. RECEIPTS DURING CURRENT PERIOD:	\$ 12,593.74
5. BALANCE:	\$ 22,347.87
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 12,138.80
7. ENDING BALANCE:	\$ 10,209.07
8. General Account Number(s):	55-00001247
Depository Name & Location:	EastWest Bank
	9300 Flair Drive, Suite 106
	El Monte, CA 91731

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

[illegible]

Bank statement Date: 8/31/2013 Balance on Statement: \$10,209.10

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
---------------------	-----------------------

TOTAL DEPOSITS IN TRANSIT

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
---------------------	-------------------	---------------------

TOTAL OUTSTANDING CHECKS:	0.00
---------------------------	------

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

* It is acceptable to replace this form with a similar form

**** Please attach a detailed explanation of any bank statement adjustment**

II. STATUS OF PAYMENTS TO SECURED CREDITORS, LESSORS
AND OTHER PARTIES TO EXECUTORY CONTRACTS

Creditor, Lessor, Etc.	Frequency of Payments (Mo/Qtr)	Amount of Payment	Post-Petition payments not made (Number)	Total Due
Bancentre Corp (Hawaii Property)	Monthly	\$ 26,500.00	3	\$ 79,500.00
California Bank & Trust (San Juan Property)	Monthly	\$ 3,287.00	0	\$ -
First Republic Bancr (Hawaii Property)	Monthly	\$ 10,417.00	3	\$ 31,251.00
First Republic Bancr (San Juan Property)	Monthly	\$ 1,087.00	0	\$ -
Mach -1 Autogroup (judgment lien - under appeal)	n/a	n/a	n/a	n/a
TOTAL DUE:				\$ 110,751.00

V. INSURANCE COVERAGE

	Name of Carrier	Amount of Coverage	Policy Expiration Date	Premium Paid Through (Date)
Homeowners (San Juan Property)	Allstate Insurance	\$ 4,031,350.00	2/16/2014	Monthly
Homeowners (Hawaii Property)	Liberty Mutual	\$ 3,473,400.00	11/18/2013	11/18/2013
Casualty				
Vehicle				
Others:				
		Page 4 of 8		

Bank statement Date: 8/31/2013 Balance on Statement: \$10,209.10

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
---------------------	-----------------------

TOTAL DEPOSITS IN TRANSIT

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
---------------------	-------------------	---------------------

[illegible]

TOTAL OUTSTANDING CHECKS:	7,564.40
---------------------------	----------

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:	\$2,644.70
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* It is acceptable to replace this form with a similar form

**** Please attach a detailed explanation of any bank statement adjustment**

[illegible]

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

- | | No | Yes |
|--|----------|---------------|
| 1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: | <u>X</u> | <u> </u> |
| <hr/> | | |
| 2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: | <u>X</u> | <u> </u> |
| <hr/> | | |
| 3. State what progress was made during the reporting period toward filing a plan of reorganization Disclosure Statement and Plan of Reorganization are due to be filed 11/30/2013. | | |
| <hr/> | | |
| 4. Describe potential future developments which may have a significant impact on the case: | | |
| <hr/> | | |
| 5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period. | | |
| <hr/> | | |
| 6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. | <u>X</u> | <u> </u> |
| <hr/> | | |

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

9/16/2013
Date

Page 8 of 8

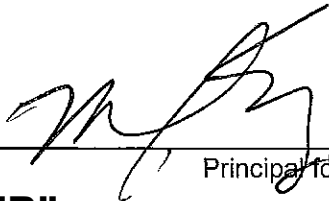

Principal for debtor-in-possession

EXHIBIT "B"

000052



EAST WEST BANK

Your Financial Bridge

9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 4

STARTING DATE: August 01, 2013

ENDING DATE: August 31, 2013

Total days in statement period: 31

55-00001247

(18)



ayw4o
08491

02 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675

Have your paycheck deposited safely and quickly with Direct Deposit. It saves you a trip to the bank and your money will be deposited to your account electronically. Simply provide our routing number 322070381 and your account number to the payroll department of your company.



Standard Business Checking

Account number	55-00001247	Beginning balance	\$9,754.13
Enclosures	18	Total additions	(1) 12,593.74
Low balance	\$4,965.23	Total subtractions	(18) 12,138.80
Average balance	\$10,113.37	Ending balance	\$10,209.07

CREDITS

Number	Date	Transaction Description	Additions
	08-16	Deposit TLR 6802 BR 8068	12,593.74

CHECKS

Number	Date	Amount	Number	Date	Amount
5001	08-07	325.00	5015	08-07	1,086.46
5004 *	08-05	169.16	5016	08-22	3,506.85
5005	08-07	69.60	5017	08-27	676.00
5006	08-07	112.70	5018	08-23	347.36
5008 *	08-05	340.21	5019	08-23	797.41
5009	08-06	281.58	5020	08-26	11.82
5010	08-05	249.66	5021	08-26	692.00
5011	08-05	429.77	5022	08-23	1,318.46
5013 *	08-06	308.43	* Skip in check sequence		
5014	08-05	1,416.33			

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
07-31	9,754.13	08-07	4,965.23	08-23	11,588.89
08-05	7,149.00	08-16	17,558.97	08-26	10,885.07
08-06	6,558.99	08-22	14,052.12	08-27	10,209.07





EAST WEST BANK

Your Financial Bridge®

9300 Flair Drive Suite 106
El Monte CA 91731

MARC JOSEPH SPIZZIRRI

ACCOUNT STATEMENT

Page 2 of 4

STARTING DATE: August 01, 2013

ENDING DATE: August 31, 2013

55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





EAST WEST BANK

Your Financial Bridge®

Main Document

Page 61 of 214

Checking Account

5500001247

Statement Date

08/31/2013

Page

3 of 4

8:13-bk-14702-MW
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5001
DATE 7/19/13

PAY TO THE ORDER OF United States Trust \$ 325
Three hundred twenty five dollars and no/100

PAY TO THE ORDER OF United States Trust

005001 132207038145500001247*

08/07/2013 5001 \$325.00

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5010
DATE 7/30/13

PAY TO THE ORDER OF Directu \$ 249.66
Two hundred forty nine and 66/100

PAY TO THE ORDER OF Directu

005010 132207038145500001247*

08/05/2013 5010 \$249.66

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5004
DATE 7/30/13

PAY TO THE ORDER OF The Gas Company \$ 169.16
one hundred sixty nine and 16/100

PAY TO THE ORDER OF The Gas Company

005004 132207038145500001247*

08/05/2013 5004 \$169.16

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5011
DATE 7/30/13

PAY TO THE ORDER OF Ra Gas Company \$ 429.77
four hundred twenty nine and 77/100

PAY TO THE ORDER OF Ra Gas Company

005011 132207038145500001247*

08/05/2013 5011 \$429.77

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5005
DATE 7/30/13

PAY TO THE ORDER OF CR & R Incorporated \$ 69.60
sixty nine and 60/100

PAY TO THE ORDER OF CR & R Incorporated

005005 132207038145500001247*

08/07/2013 5005 \$69.60

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5013
DATE 7/30/13

PAY TO THE ORDER OF Sparkletts \$ 308.93
three hundred eight and 93/100

PAY TO THE ORDER OF Sparkletts

005013 132207038145500001247*

08/06/2013 5013 \$308.43

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5006
DATE 7/30/13

PAY TO THE ORDER OF Calligan \$ 112.70
one hundred twelve and 70/100

PAY TO THE ORDER OF Calligan

005006 132207038145500001247*

08/07/2013 5006 \$112.70

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5014
DATE 7/28/13

PAY TO THE ORDER OF San Diego Gas & Electric \$ 1,416.33
fourteen hundred sixteen and 33/100

PAY TO THE ORDER OF San Diego Gas & Electric

005014 132207038145500001247*

08/05/2013 5014 \$1,416.33

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5008
DATE 7/30/13

PAY TO THE ORDER OF Cox \$ 340.21
three hundred forty and 21/100

PAY TO THE ORDER OF Cox

005008 132207038145500001247*

08/05/2013 5008 \$340.21

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5015
DATE 8/1/13

PAY TO THE ORDER OF First Republic Bank \$ 1,086.46
one thousand eighty six and 46/100

PAY TO THE ORDER OF First Republic Bank

005015 132207038145500001247*

08/07/2013 5015 \$1,086.46

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5009
DATE 7/30/13

PAY TO THE ORDER OF Liberty Mutual Group \$ 281.58
two hundred eighty one and 58/100

PAY TO THE ORDER OF Liberty Mutual Group

005009 132207038145500001247*

08/06/2013 5009 \$281.58

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CANNON CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075

1670307010 5016
DATE 8/15/13

PAY TO THE ORDER OF California Bank & Trust \$ 3,506.85
three thousand five hundred six and 85/100

PAY TO THE ORDER OF California Bank & Trust

005016 132207038145500001247*

08/22/2013 5016 \$3,506.85



MARC JOSEPH SPIZZIRRI
 CHAPTER 11 DEBTOR IN POSSESSION
 CASE NO. 13-14702
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

16-70192720 5017
 DATE 8/20/13

PAY TO THE ORDER OF Leban on Demand \$ 676.00
Six hundred seventy six

EAST WEST BANK
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

08/27/2013 5017 \$676.00

MARC JOSEPH SPIZZIRRI
 CHAPTER 11 DEBTOR IN POSSESSION
 CASE NO. 13-14702
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

16-70192720 5018
 DATE 8/20/13

PAY TO THE ORDER OF Cox \$ 347.36
Three hundred forty seven and 34/100

EAST WEST BANK
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

08/23/2013 5018 \$347.36

MARC JOSEPH SPIZZIRRI
 CHAPTER 11 DEBTOR IN POSSESSION
 CASE NO. 13-14702
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

16-70192720 5019
 DATE 8/20/13

PAY TO THE ORDER OF SDG F \$ 797.41
Seven hundred ninety seven and 41/100

EAST WEST BANK
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

08/23/2013 5019 \$797.41

MARC JOSEPH SPIZZIRRI
 CHAPTER 11 DEBTOR IN POSSESSION
 CASE NO. 13-14702
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

16-70192720 5020
 DATE 8/26/13

PAY TO THE ORDER OF Palmville Utilities Company, Inc \$ 11.82
eleven and 82/100

EAST WEST BANK
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

08/26/2013 5020 \$11.82

MARC JOSEPH SPIZZIRRI
 CHAPTER 11 DEBTOR IN POSSESSION
 CASE NO. 13-14702
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

16-70192720 5021
 DATE 8/20/13

PAY TO THE ORDER OF Allstate \$ 692.00
Six hundred ninety two

EAST WEST BANK
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

08/26/2013 5021 \$692.00

MARC JOSEPH SPIZZIRRI
 CHAPTER 11 DEBTOR IN POSSESSION
 CASE NO. 13-14702
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

16-70192720 5022
 DATE 8/20/13

PAY TO THE ORDER OF Kaunoi Island Utility Cooperative \$ 1,318.46
thirteen hundred eighteen and 46/100

EAST WEST BANK
 33033 CAMINO CAPISTRANO
 SAN JUAN CAPISTRANO, CA 92075

08/23/2013 5022 \$1,318.46

29145

In re: Marc Joseph Spizzirri	Debtor(s).	8:13-bk-14702 CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **OPERATING REPORT NO. 3** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **SEPTEMBER 17, 2013**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **SEPTEMBER 17, 2013** I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

9/17/2013
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702
--	------------	--

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@intlaw.com, jokeefe@intlaw.com;nlockwood@intlaw.com
- Robert E Opera ropera@winthropcouchot.com,
pj@winthropcouchot.com;vcorbin@winthropcouchot.com;chipp@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglip.com, lfisk@wglip.com

SERVED BY UNITED STATES MAIL

Mach-1 RSMH, LLC
Barry Baptiste
514 Via El Risco
San Clemente, CA 92672 (non NEF)

WM Capital Partners XXX, LLC
Jim Barr Coleman
PO Box 12904
Wilmington, NC 28904 (non NEF)

CENTRAL DISTRICT OF CALIFORNIA

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number: 8:13-bk-14702 MW

Operating Report Number: 4

For the Month Ending: 30-Sep-13

I. CASH RECEIPTS AND DISBURSEMENTS

A. (GENERAL ACCOUNT*)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 24,103.74
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 13,894.67
	\$ -
3. BEGINNING BALANCE:	\$ 10,209.07
4. RECEIPTS DURING CURRENT PERIOD:	\$ -
5. BALANCE:	\$ 10,209.10
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 9,172.17
7. ENDING BALANCE:	\$ 1,036.90

8. General Account Number(s):

55-00001247

Depository Name & Location:

EastWest Bank

9300 Flair Drive, Suite 106

El Monte, CA 91731

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

[illegible]

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
10/7/2013	\$ 833.50

TOTAL DEPOSITS IN TRANSIT

833.50

Less Outstanding Checks (a):

[illegible]

TOTAL OUTSTANDING CHECKS:

1,447.61

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

\$422.79

* It is acceptable to replace this form with a similar form

**** Please attach a detailed explanation of any bank statement adjustment**

TOTAL DUE:	\$ 147,668.00
------------	---------------

V. INSURANCE COVERAGE

Homeowners (San Juan Property)	Allstate Insurance	\$ 4,031,350.00	2/16/2014	Monthly
Homeowners (Hawaii Property)	Liberty Mutual	\$ 3,473,400.00	11/18/2013	11/18/2013
Casualty				
Vehicle				
Others:				
		Page 4 of 8		

[illegible]

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

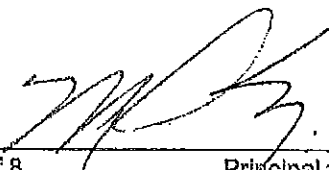
1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization. Disclosure Statement and Plan of Reorganization are due to be filed 11/30/2013.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-

I, Marc J. Spizzirri

declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

10/16/2013
Date

Page 8 of 8


Principal for debtor-in-possession

**EAST WEST BANK**

Your Financial Bridge™

9300 Flair Drive Suite 106
El Monte CA 91731Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 3

STARTING DATE: September 01, 2013

ENDING DATE: September 30, 2013

Total days in statement period: 30

55-00001247

(12)

02 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 926759144g
08720

Have your paycheck deposited safely and quickly with Direct Deposit. It saves you a trip to the bank and your money will be deposited to your account electronically. Simply provide our routing number 322070381 and your account number to the payroll department of your company.

Standard Business Checking

Account number	55-00001247	Beginning balance	\$10,209.07
Enclosures	12	Total additions	.00
Low balance	\$1,046.90	Total subtractions	9,172.17
Average balance	\$4,531.95	Ending balance	\$1,036.90

CHECKS

Number	Date	Amount	Number	Date	Amount
5024	09-03	3,506.85	5031	09-27	692.00
5025	09-04	44.99	5033 *	09-26	1,392.15
5026	09-06	503.56	5034	09-26	914.29
5027	09-04	563.14	5035	09-26	327.57
5028	09-05	69.68	5036	09-30	7.63
5029	09-04	53.85			
5030	09-09	1,086.46			

* Skip in check sequence

DEBITS

Date	Transaction Description	Subtractions
09-30	Maintenance Fee	10.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
08-31	10,209.07	09-05	5,970.56	09-26	1,746.53
09-03	6,702.22	09-06	5,467.00	09-27	1,054.53
09-04	6,040.24	09-09	4,380.54	09-30	1,036.90





EAST WEST BANK

Your Financial Bridge™

9300 Flair Drive Suite 106
El Monte CA 91731

MARC JOSEPH SPIZZIRRI

ACCOUNT STATEMENT

Page 2 of 3

STARTING DATE: September 01, 2013

ENDING DATE: September 30, 2013

55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





EAST WEST BANK

Your Financial Bridge

Main Document

Page 71 of 243

Checking Account

5500001247

Statement Date

09/30/2013

Page

3 of 3

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5024
DATE 8/14/13

PAY TO THE ORDER OF California Bank & Trust
Three hundred sixty and 85/100 \$ 3506.85

1005024 132207038 145500001247

09/03/2013 5024 \$3,506.85

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5030
DATE 9/5/13

PAY TO THE ORDER OF First Republic Bank
One thousand eight hundred and 46/100 \$ 1086.46

1005030 132207038 145500001247

09/09/2013 5030 \$1,086.46

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5025
DATE 8/28/13

PAY TO THE ORDER OF Direct
Forty four and 99/100 \$ 44.99

1005025 132207038 145500001247

09/04/2013 5025 \$44.99

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5031
DATE 9/23/13

PAY TO THE ORDER OF Alstate
Six hundred and 62/100 \$ 672.00

1005031 132207038 145500001247

09/27/2013 5031 \$692.00

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5026
DATE 8/30/13

PAY TO THE ORDER OF City of San Juan Capistrano
Five hundred and 56/100 \$ 503.56

1005026 132207038 145500001247

09/06/2013 5026 \$503.56

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5033
DATE 9/13/13

PAY TO THE ORDER OF Kaiser Steel Corp.
Thirteen hundred and 15/100 \$ 1392.15

1005033 132207038 145500001247

09/26/2013 5033 \$1,392.15

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5027
DATE 8/30/13

PAY TO THE ORDER OF West Mutual Group
Five hundred and 14/100 \$ 563.14

1005027 132207038 145500001247

09/04/2013 5027 \$563.14

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5034
DATE 9/13/13

PAY TO THE ORDER OF SDGE
Nine hundred and 14/100 \$ 914.29

1005034 132207038 145500001247

09/26/2013 5034 \$914.29

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5028
DATE 8/30/13

PAY TO THE ORDER OF Spinketts
Sixty six and 68/100 \$ 69.68

1005028 132207038 145500001247

09/05/2013 5028 \$69.68

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5035
DATE 9/23/13

PAY TO THE ORDER OF Cox
Three hundred twenty seven and 57/100 \$ 327.57

1005035 132207038 145500001247

09/26/2013 5035 \$327.57

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5029
DATE 8/30/13

PAY TO THE ORDER OF Coogan
Fifty three and 85/100 \$ 53.85

1005029 132207038 145500001247

09/04/2013 5029 \$53.85

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CAMINO CARISTRANO
SAN JUAN CAPISTRANO, CA 92075

16-7030710 5036
DATE 9/23/13

PAY TO THE ORDER OF Palmdale Utilities Company Inc
Seven and 63/100 \$ 7.63

1005036 132207038 145500001247

09/30/2013 5036 \$7.63

In re:
Marc Joseph Spizzirri

Debtor(s).

CHAPTER: 11

CASE NUMBER: 8:13-bk-14702 MW

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **OPERATING REPORT NO. 4** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **October 16, 2013**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:** On **October 16, 2013** I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Mark S. Wallace
United States Bankruptcy Court, Central District
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 6135
Santa Ana, CA 92701-4593

☒ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

10/16/2013
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702 MW
--	------------	--

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

Dan E Chambers dchambers@clfca.com
Ronald R Cohn rcohn@horganrosen.com
Caroline Djang cdjang@rutan.com
Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com;mforsythe@goeforlaw.com
Nancy S Goldenberg nancy.goldenberg@usdoj.gov
Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;reeder@buchalter.com
John Mark Jennings jjennings@shbllp.com
Elizabeth A Lossing elizabeth.lossing@usdoj.gov
Mike D Neue mneue@intlax.com, jokeefe@intlax.com;nlockwood@intlax.com
Robert E Opera ropera@winthropcouchot.com,
pj@winthropcouchot.com;vcorbin@winthropcouchot.com;chipp@winthropcouchot.com
Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
Todd C. Ringstad becky@ringstadlaw.com
Leonard M Shulman lshulman@shbllp.com
Scott O Smith ssmith@buchalter.com
United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
Michael J. Weiland mweiland@wgllp.com, lfisk@wgllp.com

UNITED STATES DEPARTMENT OF JUSTICE
 Main Document Page 1 of 18
 OFFICE OF THE UNITED STATES TRUSTEE
 CENTRAL DISTRICT OF CALIFORNIA

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number: 8:13-bk-14702 MW

Operating Report Number: 5

For the Month Ending: 31-Oct-13

I. CASH RECEIPTS AND DISBURSEMENTS

A. (GENERAL ACCOUNT*)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 24,103.74
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 23,066.84
	\$ -
3. BEGINNING BALANCE:	\$ 1,036.90
4. RECEIPTS DURING CURRENT PERIOD:	\$ 4,333.50
5. BALANCE:	\$ 5,370.40
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 4,905.68
7. ENDING BALANCE:	\$ 464.72
8. General Account Number(s):	55-00001247
Depository Name & Location:	EastWest Bank
	9300 Flair Drive, Suite 106
	El Monte, CA 91731

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

TOTAL DISBURSEMENTS THIS PERIOD:	4,905.68
----------------------------------	----------

Bank statement Date: 10/31/2013 Balance on Statement: \$464.72

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>

TOTAL DEPOSITS IN TRANSIT

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>

TOTAL OUTSTANDING CHECKS:

0.00

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

\$464.72

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

II. STATUS OF PAYMENTS TO SECURED CREDITORS, LESSORS
AND OTHER PARTIES TO EXECUTORY CONTRACTS

TOTAL DUE:	\$ 184,585.00
------------	---------------

V. INSURANCE COVERAGE

Homeowners (San Juan Property)
Homeowners (Hawaii Property)
Casualty
Vehicle
Others:

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization. Disclosure Statement and Plan of Reorganization are due to be filed 11/30/2013.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

11/22/13
Date

M. J. Spizzirri
Page 8 of 8

Principal for debtor-in-possession

**EAST WEST BANK** *Your Financial Bridge*9300 Flair Drive Suite 106
El Monte CA 91731Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 3

STARTING DATE: October 01, 2013

ENDING DATE: October 31, 2013

Total days in statement period: 31

55-00001247

(9)

kaz4c
0297902 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675

Give the perfect gift in the upcoming holiday season. The East West Bank Gift Card can be used at millions of locations where Visa® cards are accepted. Purchase your Card at your nearest East West Bank branch.

**Standard Business Checking**

Account number	55-00001247	Beginning balance	\$1,036.90
Enclosures	8	Total additions	(2) 4,333.60
Low balance	\$-49.56	Total subtractions	(9) 4,905.68
Average balance	\$956.12	Ending balance	\$464.72

CREDITS

Number	Date	Transaction Description	Additions
	10-07	Deposit	833.50
	10-23	Deposit	3,500.00

CHECKS

Number	Date	Amount	Number	Date	Amount
5038	10-04	1,086.46	5042	10-22	9.71
5039	10-09	307.30	5043	10-21	128.02
5040	10-08	53.85	5044	10-21	69.60
5041	10-17	83.50	5045	10-28	3,134.24

DEBITS

Date	Transaction Description	Subtractions
10-31	Maintenance Fee	33.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
09-30	1,036.90	10-09	422.79	10-23	3,631.96
10-04	-49.56	10-17	339.29	10-28	497.72
10-07	783.94	10-21	141.67	10-31	464.72
10-08	730.09	10-22	131.96		



**EASTWEST BANK***Your Financial Bridge®*9300 Flair Drive Suite 106
El Monte CA 91731

MARC JOSEPH SPIZZIRRI

ACCOUNT STATEMENT

Page 2 of 3

STARTING DATE: October 01, 2013

ENDING DATE: October 31, 2013

55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





EAST WEST BANK

Your Financial Bridge®

Checking Account

5500001247

Statement Date

10/31/2013

Page

3 of 3

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CARSTRANO
SAN JUAN CAPISTRANO, CA 92075

DATE 10/31/13

PAYEE First Republic Bank

AMOUNT \$ 1086.46

ONE THOUSAND EIGHTY SIX AND 46/100 DOLLARS

10/04/2013 5038 \$1,086.46

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CARSTRANO
SAN JUAN CAPISTRANO, CA 92075

DATE 10/14/13

PAYEE C.R. Incorporated

AMOUNT \$ 69.60

SIXTY NINE AND 60/100 DOLLARS

10/21/2013 5044 \$69.60

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CARSTRANO
SAN JUAN CAPISTRANO, CA 92075

DATE 10/14/13

PAYEE Directv

AMOUNT \$ 307.30

THREE HUNDRED SEVEN AND 30/100 DOLLARS

10/09/2013 5039 \$307.30

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CARSTRANO
SAN JUAN CAPISTRANO, CA 92075

DATE 10/23/13

PAYEE Calitool Bank & Trust

AMOUNT \$ 3134.24

THREE THOUSAND ONE HUNDRED THIRTY FOUR AND 24/100 DOLLARS

10/28/2013 5045 \$3,134.24

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CARSTRANO
SAN JUAN CAPISTRANO, CA 92075

DATE 10/14/13

PAYEE Culligan

AMOUNT \$ 53.85

FIFTY THREE AND 85/100 DOLLARS

10/08/2013 5040 \$53.85

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CARSTRANO
SAN JUAN CAPISTRANO, CA 92075

DATE 10/14/13

PAYEE Anisi Vista Estates

AMOUNT \$ 83.50

EIGHTY THREE AND 50/100 DOLLARS

10/17/2013 5041 \$83.50

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CARSTRANO
SAN JUAN CAPISTRANO, CA 92075

DATE 10/14/13

PAYEE Placerville Utilities Company, Inc.

AMOUNT \$ 9.71

NINE AND 71/100 DOLLARS

10/22/2013 5042 \$9.71

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CARSTRANO
SAN JUAN CAPISTRANO, CA 92075

DATE 10/14/13

PAYEE Sparketts

AMOUNT \$ 128.02

ONE HUNDRED TWENTY EIGHT AND 2/100 DOLLARS

10/21/2013 5043 \$128.02

In re: Marc Joseph Spizzirri Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
--	--

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **MONTHLY OPERATING REPORT NO. 5** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **November 22, 2013**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **November 22, 2013** I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Honorable Mark S. Wallace
United States Bankruptcy Court, Central District
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 6135
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

11/22/2013
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702 MW
--	------------	--

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

Dan E Chambers dchambers@clfca.com
Ronald R Cohn rcohn@horganrosen.com
Caroline Djang cdjang@rutan.com
Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com;mforsythe@goeforlaw.com
Nancy S Goldenberg nancy.goldenberg@usdoj.gov
Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
Stephen E Hyam shyam@clarktrev.com
John Mark Jennings jjennings@shbllp.com
Elizabeth A Lossing elizabeth.lossing@usdoj.gov
Mike D Neue mneue@intl.com, jokeefe@intl.com;nlockwood@intl.com
Robert E Opera ropera@winthropcouchot.com,
pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
Todd C. Ringstad becky@ringstadlaw.com
Leonard M Shulman lshulman@shbllp.com
Scott O Smith ssmith@buchalter.com
United States Trustee (SA) ustregion16.sa.ecf@usdoj.gov
Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com

OFFICE OF THE UNITED STATES TRUSTEE

CENTRAL DISTRICT OF CALIFORNIA

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number: 8:13-bk-14702 MW

Operating Report Number: 6

For the Month Ending: 30-Nov-13

I. CASH RECEIPTS AND DISBURSEMENTS

A. (GENERAL ACCOUNT*)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 28,437.24
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 27,972.52
	\$ -
3. BEGINNING BALANCE:	\$ 464.72
4. RECEIPTS DURING CURRENT PERIOD:	\$ -
5. BALANCE:	\$ 464.72
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 137.85
7. ENDING BALANCE:	\$ 326.87

8. General Account Number(s): 55-00001247

Depository Name & Location:

EastWest Bank

9300 Flair Drive, Suite 106

El Monte, CA 91731

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

TOTAL DISBURSEMENTS THIS PERIOD:	137.85
----------------------------------	--------

Bank statement Date: 11/30/2013 Balance on Statement: \$326.87

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>12/13/2013</u>	<u>\$ 17,000.00</u>
<u> </u>	<u> </u>
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TOTAL DEPOSITS IN TRANSIT

17,000.00

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5046</u>	<u>12/13/2013</u>	<u>\$ 1,769.69</u>
<u>5047</u>	<u>12/13/2013</u>	<u>\$ 88.41</u>
<u>5048</u>	<u>12/13/2013</u>	<u>Void</u>
<u>5049</u>	<u>12/13/2013</u>	<u>\$ 1,384.00</u>
<u>5050</u>	<u>12/13/2013</u>	<u>\$ 112.70</u>
<u>5051</u>	<u>12/13/2013</u>	<u>\$ 177.83</u>
<u>5052</u>	<u>12/13/2013</u>	<u>\$ 360.37</u>
<u>5053</u>	<u>12/13/2013</u>	<u>\$ 319.76</u>
<u>5054</u>	<u>12/13/2013</u>	<u>Void</u>
<u>5055</u>	<u>12/13/2013</u>	<u>\$ 3,506.84</u>
<u>5056</u>	<u>12/13/2013</u>	<u>\$ 3,681.26</u>
<u>5057</u>	<u>12/13/2013</u>	<u>\$ 325.00</u>
<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>

TOTAL OUTSTANDING CHECKS:

11,725.86

Bank statement Adjustments:

Explanation of Adjustments-

--

ADJUSTED BANK BALANCE:

\$5,601.01

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

XI. QUESTIONNAIRE

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X
-
3. State what progress was made during the reporting period toward filing a plan of reorganization
Disclosure Statement and Plan of Reorganization are being formulated.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X
-

I, Marc J. Spizzirri

declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

1/3/2014
Date

Page 8 of 8

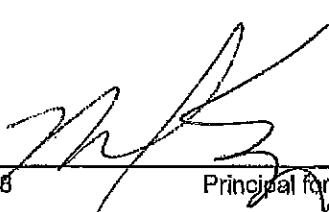

Principal for debtor-in-possession

EXHIBIT "B"

000092



EAST WEST BANK *Your Financial Bridge™*

9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 1
STARTING DATE: November 01, 2013
ENDING DATE: November 30, 2013
Total days in statement period: 30
55-00001247
(0)

02 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675



ngc41
09711



Give the perfect gift in the upcoming holiday season. The East West Bank Gift Card can be used at millions of locations where Visa® cards are accepted. Purchase your Card at your nearest East West Bank branch.

Standard Business Checking

Account number	55-00001247	Beginning balance		\$464.72
Low balance	\$338.87	Total additions	(0)	.00
Average balance	\$364.83	Total subtractions	(3)	137.85
		Ending balance		\$326.87

DEBITS

Date	Transaction Description	Subtractions
11-06	Preauth Debit SAFEGUARD6 MANUAL DIR 131108 MARC JOSEPH SPI	51.04
11-08	Preauth Debit SAFEGUARD CHK SUPPLY 131108 PGWJZK	74.81
11-30	Maintenance Fee	12.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
10-31	464.72	11-08	338.87		
11-06	413.68	11-30	326.87		

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00



In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
--	------------	--

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **OPERATING REPORT NO. 6** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **January 3, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:** On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

1/3/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702 MW
--	------------	--

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- Stephen E Hyam shyam@clarktrev.com
- John Mark Jennings jjennings@shblp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@Intlaw.com, jokeefe@Intlaw.com;nlockwood@Intlaw.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com, pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Leonard M Shulman lshulman@shblp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@Intlaw.com, nlockwood@Intlaw.com;jokeefe@Intlaw.com
- United States Trustee (SA) ustregion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com

UNITED STATES DEPARTMENT OF JUSTICE
 Main Document Page 1 of 241
 OFFICE OF THE UNITED STATES TRUSTEE
 CENTRAL DISTRICT OF CALIFORNIA

In Re: MARC JOSEPH SPIZZIRRI <div style="text-align: right;">Debtor(s).</div>	CHAPTER 11 (NON-BUSINESS) Case Number: 8:13-bk-14702 MW Operating Report Number: 7 For the Month Ending: 31-Dec-13
---	---

I. CASH RECEIPTS AND DISBURSEMENTS
 A. (GENERAL ACCOUNT*)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 28,437.24
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 28,110.37
	\$ -
3. BEGINNING BALANCE:	\$ 326.87
4. RECEIPTS DURING CURRENT PERIOD:	**** \$ 15,000.00
5. BALANCE:	\$ 15,326.87
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 11,737.86
7. ENDING BALANCE:	\$ 3,589.01
8. General Account Number(s):	55-00001247
Depository Name & Location:	EastWest Bank 9300 Flair Drive, Suite 106 El Monte, CA 91731

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

**** This amount was inadvertently incorrectly stated in the amount of \$17,000 in the previous report.

TOTAL DISBURSEMENTS THIS PERIOD:	11,737.86
----------------------------------	-----------

000097

Bank statement Date: 12/31/2013 Balance on Statement: \$3,589.01

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>1/8/2014</u>	<u>\$ 5,000.00</u>
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TOTAL DEPOSITS IN TRANSIT

5,000.00

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5058</u>	<u>1/8/2014</u>	<u>\$ 3,638.29</u>
<u> </u>	<u> </u>	<u> </u>
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TOTAL OUTSTANDING CHECKS:

3,638.29

Bank statement Adjustments:

Explanation of Adjustments-

--

ADJUSTED BANK BALANCE:

\$4,950.72

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

TOTAL DUE:	\$ 258,419.00
------------	---------------

V. INSURANCE COVERAGE

Homeowners (San Juan Property)	Allstate Insurance	\$ 4,031,350.00	2/16/2014	Monthly
Homeowners (Hawaii Property)	Liberty Mutual	\$ 3,473,400.00	11/18/2013	11/18/2013
Casualty				
Vehicle				
Others:				
Page 4 of 8				

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

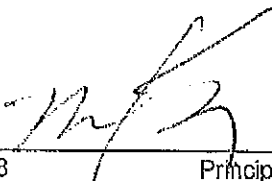
* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

XI. QUESTIONNAIRE

- | | | |
|---|----------|-------|
| | No | Yes |
| 1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: | <u>X</u> | _____ |
| <hr/> | | |
| | No | Yes |
| 2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: | <u>X</u> | _____ |
| <hr/> | | |
| 3. State what progress was made during the reporting period toward filing a plan of reorganization. Disclosure Statement and Plan of Reorganization are being formulated and anticipated to be filed on or before January 10, 2014. | | |
| <hr/> | | |
| 4. Describe potential future developments which may have a significant impact on the case: | | |
| <hr/> | | |
| 5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period. | | |
| <hr/> | | |
| | No | Yes |
| 6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. | <u>X</u> | _____ |
| <hr/> | | |

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

1/10/2014
Date


Page 8 of 8 Principal for debtor-in-possession

EAST WEST BANK



depositBridgePlusSM

taxBridgeSM

businessBridgePlusSM

Range: From 12/01/2013 To 12/31/2013

View Results Download Results

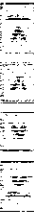
Account Details

Account Number: 5500001247-MARC JOSEPH SPIZZIRRI

Balances and Activity as of 05:42:56 PM PT on 01/08/2014

Ledger Balance: (\$49.28) Current Balance: \$420.72
 Accessible Balance*: \$420.72 Net Activity Today: \$470.00
 Related Available Balance: \$0.00

Results 1-12



Date	Status	Description	Serial Number	Withdrawal Amount	Deposit Amount	Balance	Image
12/31/2013		MAINTENANCE FEE		\$12.00		\$3,589.01	
12/24/2013	CHECK		5057	\$325.00		\$3,601.01	
12/24/2013	CHECK		5053	\$319.76		\$3,926.01	
12/23/2013	CHECK		5056	\$3,681.26		\$4,245.77	
12/23/2013	CHECK		5055	\$3,506.84		\$7,927.03	
12/23/2013	CHECK		5052	\$360.37		\$11,433.87	
12/23/2013	CHECK		5051	\$177.83		\$11,794.24	
12/23/2013	CHECK		5049	\$1,384.00		\$11,972.07	
12/20/2013	CHECK		5047	\$88.41		\$13,356.07	
12/18/2013	CHECK		5050	\$112.70		\$13,444.48	
12/17/2013	CHECK		5046	\$1,769.69		\$13,557.18	
12/16/2013	DEPOSIT				\$15,000.00	\$15,326.87	

EXHIBIT "B"

000104

In re: Marc Joseph Spizzirri Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
--	--

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **OPERATING REPORT NO. 7** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **January 10, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:** On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

1/10/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702 MW
--	------------	--

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;reeder@buchalter.com
- Stephen E Hyam shyam@clarktrex.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@intlaw.com, jokeefe@intlaw.com;nlockwood@intlaw.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com,
pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@intlaw.com, nlockwood@intlaw.com;jokeefe@intlaw.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com

UNITED STATES DEPARTMENT OF JUSTICE
 OFFICE OF THE UNITED STATES TRUSTEE
 CENTRAL DISTRICT OF CALIFORNIA

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number: 8:13-bk-14702 MW
 Operating Report Number: 2 (Amended)
 For the Month Ending: 31-Jul-13

I. CASH RECEIPTS AND DISBURSEMENTS
 A. (GENERAL ACCOUNT* AND SPOUSE ACCOUNT)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$	70,100.00
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$	68,811.17
	\$	-
3. BEGINNING BALANCE:	\$	1,298.83
4. RECEIPTS DURING CURRENT PERIOD:	\$	19,510.00
5. BALANCE:	\$	20,808.83
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$	10,876.52
7. ENDING BALANCE:	\$	9,932.31
8. General Account Number(s):	55-00001247	
Spouse Account Number	3150179716	
Depository Name & Location:	EastWest Bank	California Bank & Trust
	9300 Flair Drive, Suite 106	PO Box 489
	El Monte, CA 91731	Lawndale, CA 90260

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

[illegible]

Bank statement Date: 6/5/2013 Balance on Statement: <-\$10.00>

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>7/19/2013</u>	<u>\$ 11,500.00</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
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<u> </u>	<u> </u>

TOTAL DEPOSITS IN TRANSIT

11,500.00

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5001</u>	<u>7/19/2013</u>	<u>\$ 325.00</u>
<u>5004</u>	<u>7/30/2013</u>	<u>\$ 169.16</u>
<u>5005</u>	<u>7/30/2013</u>	<u>\$ 69.60</u>
<u>5006</u>	<u>7/30/2013</u>	<u>\$ 112.70</u>
<u>5007</u>	<u>7/30/2013</u>	<u>Void</u>
<u>5008</u>	<u>7/30/2013</u>	<u>\$ 340.20</u>
<u>5009</u>	<u>7/30/2013</u>	<u>\$ 281.58</u>
<u>5010</u>	<u>7/30/2013</u>	<u>\$ 249.66</u>
<u>5011</u>	<u>7/30/2013</u>	<u>\$ 429.00</u>
<u>5012</u>	<u>7/30/2013</u>	<u>Void</u>
<u>5013</u>	<u>7/30/2013</u>	<u>\$ 308.40</u>
<u>5014</u>	<u>7/30/2013</u>	<u>\$ 1,416.00</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

TOTAL OUTSTANDING CHECKS:

3,701.30

Bank statement Adjustments:

Explanation of Adjustments-

--

ADJUSTED BANK BALANCE:

\$6,052.83

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

Check No.	Date	Amount	Payee	Purpose
Auto	7/3/2013	\$ 109.95	Credit One	Goods
Auto	7/8/2013	\$ 110.00	Pay SEQ	
Auto	7/11/2013	\$ 916.80	Pay SEQ	
Auto (5024)	7/15/2013	\$ 21.64	Rite Aid	Goods
Auto (5026)	7/15/2014	\$ 81.00	Macy's	Goods
Auto (5030)	7/19/2013	\$ 327.55	Ford Mortor Credit	
Auto (5033)	7/22/2013	\$ 252.15	Direct TV	Utilities
Auto (5032)	7/22/2013	\$ 405.58	Cox Communications	Utilities
529	7/9/2013	\$ 3,178.08	California Bank & Trust	Mortgage
530	7/16/2013	\$ 32.40	Sephora	Goods
5007	6/26/2014	\$ 122.89	Ralphs	Food and goods
5008	7/1/2013	\$ 86.40	Nordstrom	Clothing
5009	6/28/2013	\$ 135.95	Appliance	Dryer repair
5010	7/3/2013	\$ 40.00	Bella Nails	Nail services
5011	7/3/2013	\$ 99.00	Fashion Tailors	Clothing
5012	7/2/2013	\$ 146.08	Vons	Food and goods
5013	7/3/2013	\$ 124.81	Vons	Food and goods
5014	7/3/2013	\$ 96.19	Marbella Market	Food and goods
5015	7/9/2013	\$ 157.55	Costco	Food and goods
5016			Void	Void
5017	7/9/2013	\$ 1,086.46	First Republic Bank	Mortgage
5018	7/15/2013	\$ 131.74	Furry Foods	Food and goods
5019	7/10/2013	\$ 71.26	Bed Bath and Beyond	Goods
5020	7/22/2013	\$ 511.74	The Pool Doctor	Pool maintenance
5021	7/11/2013	\$ 19.95	Postmaster	Mailing
5022	7/10/2013	\$ 118.48	Ralphs	Food and goods
5023	7/10/2013	\$ 23.08	Marbela Market	Food and goods
5025	7/16/2013	\$ 165.00	Kat Jackson	Hair stylist
5027	7/16/2013	\$ 52.78	Macy's	Clothing
5028	7/16/2013	\$ 56.00	Petco	Pet supplies
5029	7/23/2013	\$ 26.88	Princeville Utilities	Utilities - Hawaii property
5031	7/18/2013	\$ 75.28	Ford Mortor Credit	Car payment
4322625	7/8/2013	\$ 347.98		
Total		\$ 9,130.65		
Deposits	Date	Amount		
	7/5/2013	\$ 8,000.00		
Total		\$ 8,000.00		

13-06-147-02-MW Doc 249 Filed 03/26/14 Entered 03/26/14
 II. STATUS OF PAYMENTS TO SECURED PARTIES LESSORS
 AND OTHER PARTIES TO EXECUTORY CONTRACTS
 Page 5 of 241

TOTAL DUE:	\$ 73,834.00
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V. INSURANCE COVERAGE

Page 4 of 8

(Provide a copy of of montly account statements for each of the below)

000112

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

EXHIBIT "B"

000114

XI. QUESTIONNAIRE

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
3. State what progress was made during the reporting period toward filing a plan of reorganization in the early stages of reorganization.
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

Date

3/26/2014

Page 8 of 8

Principal for debtor-in-possession

EXHIBIT "B"

000115



EAST WEST BANK *Your Financial Bridge*
9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 3
STARTING DATE: July 01, 2013
ENDING DATE: July 31, 2013
Total days in statement period: 31
55-00001247
(2)



OZ 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675

All East West Bank branches have HKD, NTD, and RMB currencies on hand readily available for customers to purchase. Save time and money by getting your foreign currency before your trip. Visit a local branch for details.



Standard Business Checking

Account number	55-00001247	Beginning balance	\$-10.00
Enclosures	2	Total additions	11,510.00
Low balance	\$-10.00	Total subtractions	1,745.87
Average balance	\$3,433.90	Ending balance	\$9,754.13

CREDITS

Number	Date	Transaction Description	Additions
	07-22	Credit Memo REV MAINT FEE 06-30-13	10.00
	07-22	Deposit	11,500.00

CHECKS

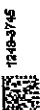
Number	Date	Amount	Number	Date	Amount
5002	07-26	1,043.87	5003	07-29	692.00

DEBITS

Date	Transaction Description	Subtractions
07-31	Maintenance Fee	10.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
06-30	-10.00	07-26	10,456.13	07-31	9,754.13
07-22	11,500.00	07-29	9,764.13		





EAST WEST BANK *Your Financial Bridge*

9300 Flair Drive Suite 106
El Monte CA 91731

MARC JOSEPH SPIZZIRRI

ACCOUNT STATEMENT

Page 2 of 3

STARTING DATE: July 01, 2013

ENDING DATE: July 31, 2013

55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





Checking Account

5500001247

Statement Date

07/31/2013

Page

3 of 3

1 MARC JOSEPH SPEZZANO
CHARTER 11 OWNER IN POSSESSION
CASE NO. 13-1175
11 2222 CARRIAGE CAPSTRANO
SAN JUAN CAPSTRANO, CA 92055

16 FRANCHISE 5002
DATE 7/26/13

PAY TO THE ORDER OF \$1,043.87

07/26/2013 5002 \$1,043.87

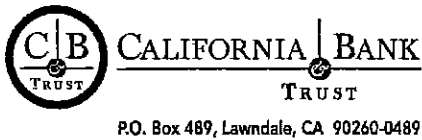
1 MARC JOSEPH SPEZZANO
CHARTER 11 OWNER IN POSSESSION
CASE NO. 13-1175
11 2222 CARRIAGE CAPSTRANO
SAN JUAN CAPSTRANO, CA 92055

16 FRANCHISE 5003
DATE 7/29/13

PAY TO THE ORDER OF \$692.00

07/29/2013 5003 \$692.00





Statement of Accounts

Page 1 of 4

This Statement: August 23, 2013

Last Statement: July 24, 2013

Account 3150179716

DIRECT INQUIRIES TO:

Customer Service 1 (800) 400-6080

0003243

4236-06-0000-CBT-PC0021-00000

CANDACE C SPIZZIRRI
POD MARC SPIZZIRRI
30721 HUNT CLUB DR
SAN JUAN CAPISTRANO CA 92675-1915

San Juan Capistrano
32221 Camino Capistrano
San Juan Capistrano, CA 92675-3721
(949) 248-0100

SUMMARY OF ACCOUNT BALANCE

Account Type	Account Number	Checking/Savings Ending Balance	Outstanding Balances Owed
Classic Checking	3150179716	\$145.03	

CLASSIC CHECKING 3150179716

Previous Balance	Deposits/Credits	Charges/Debits	Checks Processed	Ending Balance
158.18	7,200.00	1,600.69	5,612.46	145.03

3 DEPOSITS/CREDITS

Date	Amount	Description
07/29	5,000.00	DEPOSIT 5353145846
08/14	2,000.00	DEPOSIT 5353092802
08/20	200.00	DEPOSIT 5353115983

7 CHARGES/DEBITS

Date	Amount	Description
07/29	134.95	TRANSFER TO THE CRL 3006 ID: 210164116 2305405315
07/29	261.00	TRANSFER TO CRL 2896 ID: 210164324 2305405331
08/02	250.47	Credit One Bank Payment 5046 REF # 013213001374240 1104438371
08/05	347.98	JP Morgan Chase CHECK P 5040 REF # 013217001977042 1103928194
08/15	252.95	XFRD \$252.95 PER MKR APPLIED TO CRL 2896ID: 227141909 2307603571
08/15	239.56	XFRD \$239.56 PER MKR APPLIED TO CRL 3006ID: 227142154 2307603577
08/21	113.78	CITICARD PAYMENT CHECK 5058 REF # 013232009167881 1103413803

24 CHECKS PROCESSED

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
5034	07/30	288.08	5043	08/05	82.67	5052	08/21	150.00
5035	07/30	285.64	5044	08/06	44.35	5053	08/16	256.34
5036	08/07	55.00	5045	08/06	275.00	5054	08/19	186.00
5037	07/29	144.09	5047*	08/07	1,352.00	5055	08/19	30.90
5038	08/05	800.00	5048	08/07	201.48	5056	08/19	687.97
5039	08/14	305.00	5049	08/08	28.97	5057	08/20	30.00
5041*	08/06	13.81	5050	08/07	37.18	5059*	08/21	90.00
5042	08/02	112.00	5051	08/12	102.00	5060	08/23	53.98

* Not in check sequence

EXHIBIT "B"

000119



MEMBER FDIC

0003243-0000001-0005358

Page 2 of 4

[illegible]

CHECKBOOK BALANCE	
1. LIST your checkbook balance.	
2. ADD any deposits or other credits listed on the front of this statement which you have not recorded in your checkbook (such as payroll credits or other direct electronic deposits).	
3. SUBTOTAL:	
4. SUBTRACT any charges listed on the front of this statement which you have not recorded (such as service charges, automatic transfers, electronic transactions, etc).	
5. ADJUSTED CHECKBOOK BALANCE:	

STATEMENT BALANCE	
6. LIST your current statement balance as shown on the front of this statement.	
7. ADD deposits made, but not shown on this statement.	
8. SUBTOTAL:	
9. SUBTRACT total from "Checks Outstanding."	
10. ADJUSTED STATEMENT BALANCE:	

This balance should agree with line 5, above.

You must promptly examine your account statements and report any discoverable errors, unauthorized signatures, alterations, missing endorsements, or unauthorized transfers. Failure to do so may result in your loss of certain rights or remedies. For example, you must identify the discoverable alteration or forgery of a check within 30 days of us sending you, or making available to you, the statement reflecting that check, and you must also immediately report to us what you find. Businesses should check their account transactions daily, for which various online services are available. For additional information, please see your deposit account agreement and application service agreement(s) for details. See also the consumer disclosures below.

If you think your statement is wrong, or if you need more information about a transfer on this statement or on a receipt, please telephone or write us. Please use the telephone number or the address listed on the front of this statement to contact us as you can. We must hear from you no later than 60 days after we sent or made available the FIRST statement on which the problem or error appeared. The provisions in this paragraph do not apply to business or other non-personal accounts. The owners of those accounts must settle all unauthorized debits, transactions or errors within 24 hours of receipt of the item posting in order to be returned.

- We will investigate your complaint and correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

If you think your statement is wrong, or you need more information about a transaction on your statement, write us at the address on the front of this statement as soon as possible. We must hear from you no later than 60 days after we sent you the first statement on which the error or problem appeared.

1. Your name and account number.
2. The dollar amount of the suspected error.
3. Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question. You must notify us in writing. You can telephone us, but doing so will not preserve your rights. Contact us at California Bank & Trust, P.O. Box 25787, Salt Lake City, UT 84125-0787.

Balance Subject to Interest Rate: We use the method called "average daily balance", (including current transactions) to calculate the daily balance. If you have any further questions about the method and how resulting interest charges are determined, please feel free to contact us at 1-300-400-6080.

We may report information about your Money Reserve account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please notify us if we report any inaccurate information about your account(s) to a credit bureau. Your written notice describing the specific inaccuracy should be sent to us at the following address: California Bank & Trust, PO Box 25787, Salt Lake City, UT 84125-0787.

• Review account balances • Review posted transactions • Pay bills • Transfer funds
Sign up today at www.calbanktrust.com or call 888-217-1265.



CALIFORNIA BANK
TRUST

P.O. Box 489, Lawndale, CA 90260-0489

Page 3 of 4
August 23, 2013
CANDACE C SPIZZIRRI
3150179716

AGGREGATE OVERDRAFT AND RETURNED ITEM FEES

	<i>Total for This Period</i>	<i>Total Year-to-Date</i>
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.

DAILY BALANCES

<i>Date.....</i>	<i>Balance</i>	<i>Date.....</i>	<i>Balance</i>	<i>Date.....</i>	<i>Balance</i>
07/29	4,618.14	08/07	472.48	08/16	1,287.66
07/30	4,044.42	08/08	443.51	08/19	382.79
08/02	3,681.95	08/12	341.51	08/20	552.79
08/05	2,451.30	08/14	2,036.51	08/21	199.01
08/06	2,118.14	08/15	1,544.00	08/23	145.03

EXHIBIT "B"

000121



MEMBER FDIC

0003243-0000002-0005359

California Bank & Trust

Page 4 of 4

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EXHIBIT "B"

000122

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
--	------------	--

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **(AMENDED) OPERATING REPORT NO. 2** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 26, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:** On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

3/26/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re:

Marc Joseph Spizzirri

Debtor(s).

CHAPTER 11

CASE NUMBER 8:13-bk-14702 MW

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- James Andrew Hinds jhinds@jhindslaw.com, zbilowit@jhindslaw.com
- Stephen E Hyam shyam@clarktrex.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@intlaw.com, jokeefe@intlaw.com;nlockwood@intlaw.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com, pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Paul R Shankman pshankman@jhindslaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@intlaw.com, nlockwood@intlaw.com;jokeefe@intlaw.com
- United States Trustee (SA) ustregion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com
- Barouir B Yeretian byeretian@jhindslaw.com, yeretzian@gmail.com

UNITED STATES DEPARTMENT OF JUSTICE
 OFFICE OF THE UNITED STATES TRUSTEE
 CENTRAL DISTRICT OF CALIFORNIA

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number: 8:13-bk-14702 MW

Operating Report Number: 3 (Amended)

For the Month Ending: 31-Aug-13

I. CASH RECEIPTS AND DISBURSEMENTS
 A. (GENERAL ACCOUNT* AND SPOUSE ACCOUNT)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 89,610.00
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 79,687.69
	\$ -
3. BEGINNING BALANCE:	\$ 9,932.31
4. RECEIPTS DURING CURRENT PERIOD:	\$ 19,793.74
5. BALANCE:	\$ 29,726.05
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 19,351.95
7. ENDING BALANCE:	\$ 10,374.10
8. General Account Number(s):	55-00001247
Spouse Account Number:	3150179716
Depository Name & Location:	EastWest Bank California Bank & Trust
	9300 Flair Drive, Suite 106 PO Box 489
	El Monte, CA 91731 Lawndale, CA 90260

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

TOTAL DISBURSEMENTS THIS PERIOD: 12,138.80

Bank statement Date: 8/31/2013 Balance on Statement: \$10,209.10

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
---------------------	-----------------------

TOTAL DEPOSITS IN TRANSIT

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
5002	9/2/2013	\$ 1,043.87
5003	9/2/2013	\$ 692.00
5007		Void
5012		Void
5023		Void
5024	9/2/2013	\$ 3,506.85
5025	9/2/2013	\$ 44.99
5026	9/2/2013	\$ 503.56
5027	9/2/2013	\$ 563.14
5027	9/2/2013	\$ 69.68
5029	9/2/2013	\$ 53.85
5030	9/2/2013	\$ 1,086.46

TOTAL OUTSTANDING CHECKS:

7,564.40

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

\$2,644.70

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

Check No.	Date	Amount	Payee	Purpose
Auto	7/29/2013	\$ 134.95		
Auto	7/29/2013	\$ 261.00		
Auto (5046)	8/2/2013	\$ 250.47	Credit One Bank	Goods
Auto (5040)	8/5/2013	\$ 347.98	JP Morgan Chase	Goods
Auto	8/15/2013	\$ 252.95		
Auto	8/15/2013	\$ 239.56		
Auto (5058)	8/21/2013	\$ 113.78	Citicard	
5034	7/30/2013	\$ 288.08	Costco	Food and goods
5035	7/30/2013	\$ 285.64	Ralphs	Food and goods
5036	8/7/2013	\$ 55.00	Bella Nails	Nail services
5037	7/29/2013	\$ 144.09	California Bank & Trust	Goods
5038	8/5/2013	\$ 800.00	Hunt Club Community Assoc.	Residence HOA
5039	8/14/2013	\$ 305.00	Ardvark 21, Inc.	Hawaii HOA
5041	8/6/2013	\$ 13.81	Hawaii Gas	Hawaii utilities
5042	8/2/2013	\$ 112.00	Sklyne Pest	Services
5043	8/5/2013	\$ 82.67	Anini Vista Estates	Manintenance
5044	8/6/2013	\$ 44.35	Coast Radiology Imaging	Medical
5045	8/6/2013	\$ 275.00	Camillo's Landscape Services	Maintenance
5047	8/7/2013	\$ 1,352.00	Labor on Demand	Services
5048	8/7/2013	\$ 201.48	Ralphs	Food and goods
5049	8/8/2013	\$ 28.97	Vons	Food and goods
5050	8/7/2013	\$ 37.18	Marbella Market	Food and goods
5051	8/12/2013	\$ 102.00	Vons	Food and goods
5052	8/21/2013	\$ 150.00	Vanessa Ladner	Maintenance - HI property
5053	8/16/2013	\$ 256.34	Costco	Food and goods
5054	8/19/2013	\$ 186.00	Kat Jackson	Hair services
5055	8/19/2013	\$ 30.90	Vons	Food and goods
5056	8/19/2014	\$ 687.97	Mission Hospital	Medical
5057	8/20/2013	\$ 30.00	Bella Nails	Nail services
5059	8/21/2013	\$ 90.00	Scottrade	Financial services
5060	8/23/2013	\$ 53.98	Marshals	Goods
Total		\$ 7,213.15		
Deposits	Date	Amount		
	7/29/2013	\$ 5,000.00		
	8/14/2013	\$ 2,000.00		
	8/20/2013	\$ 200.00		
Total		\$ 7,200.00		

II. STATUS OF PAYMENTS TO SETTLOR, LESSOR, AND OTHER PARTIES TO EXECUTORY CONTRACTS

TOTAL DUE:	\$ 110,751.00
------------	---------------

V. INSURANCE COVERAGE

Page 4 of 8

(Provide a copy of of montly account statements for each of the below)

*Other Monies:		
	**Petty Cash (from below):	0.00

10,209.07

[illegible]

0.00

000130

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

n/a

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

n/a

Page 7 of 8

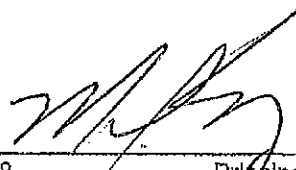
EXHIBIT "B"

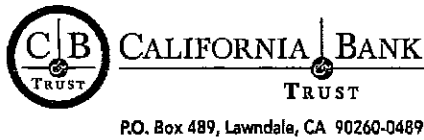
000132

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization. Disclosure Statement and Plan of Reorganization are due to be filed 11/30/2013.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

3/26/2014
Date


Principal for debtor-in-possession



Statement of Accounts

Page 1 of 4

This Statement: August 23, 2013
Last Statement: July 24, 2013

Account 3150179716

DIRECT INQUIRIES TO:

Customer Service 1 (800) 400-6080

0003243

4236-06-0000-CBT-PC0021-00000

CANDACE C SPIZZIRRI
POD MARC SPIZZIRRI
30721 HUNT CLUB DR
SAN JUAN CAPISTRANO CA 92675-1915

San Juan Capistrano
32221 Camino Capistrano
San Juan Capistrano, CA 92675-3721
(949) 248-0100

SUMMARY OF ACCOUNT BALANCE

Account Type	Account Number	Checking/Savings Ending Balance	Outstanding Balances Owed
Classic Checking	3150179716	\$145.03	

CLASSIC CHECKING 3150179716

Previous Balance	Deposits/Credits	Charges/Debits	Checks Processed	Ending Balance
158.18	7,200.00	1,600.69	5,612.46	145.03

3 DEPOSITS/CREDITS

Date	Amount	Description
07/29	5,000.00	DEPOSIT 5353145846
08/14	2,000.00	DEPOSIT 5353092802
08/20	200.00	DEPOSIT 5353115983

7 CHARGES/DEBITS

Date	Amount	Description
07/29	134.95	TRANSFER TO THE CRL 3006 ID: 210164116 2305405315
07/29	261.00	TRANSFER TO CRL 2896 ID: 210164324 2305405331
08/02	250.47	Credit One Bank Payment 5046 REF # 013213001374240 1104438371
08/05	347.98	JP Morgan Chase CHECK P 5040 REF # 013217001977042 1103928194
08/15	252.95	XFRD \$252.95 PER MKR APPLIED TO CRL 2896ID: 227141909 2307603571
08/15	239.56	XFRD \$239.56 PER MKR APPLIED TO CRL 3006ID: 227142154 2307603577
08/21	113.78	CITICARD PAYMENT CHECK 5058 REF # 013232009167881 1103413803

24 CHECKS PROCESSED

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
5034	07/30	288.08	5043	08/05	82.67	5052	08/21	150.00
5035	07/30	285.64	5044	08/06	44.35	5053	08/16	256.34
5036	08/07	55.00	5045	08/06	275.00	5054	08/19	186.00
5037	07/29	144.09	5047*	08/07	1,352.00	5055	08/19	30.90
5038	08/05	800.00	5048	08/07	201.48	5056	08/19	687.97
5039	08/14	305.00	5049	08/08	28.97	5057	08/20	30.00
5041*	08/06	13.81	5050	08/07	37.18	5059*	08/21	90.00
5042	08/02	112.00	5051	08/12	102.00	5060	08/23	53.98

* Not in check sequence

EXHIBIT "B"

000134



MEMBER FDIC

0003243-0000001-0005358

An Easy Approach To Balancing Your Account

Page 2 of 4

To reconcile your checkbook balance to your statement balance: Mark off each entry in your check register that has been charged to your account during the statement period. List the checks you have written, but are not yet charged to your account in the "Checks Outstanding" column below. Then, follow the instructions in lines 1 through 10.

[illegible]

Transfer to Line 9.

CHECKBOOK BALANCE	
1. LIST your checkbook balance.	
2. ADD any deposits or other credits listed on the front of this statement which you have not recorded in your checkbook (such as payroll credits or other direct electronic deposits).	
3. SUBTOTAL:	
4. SUBTRACT any charges listed on the front of this statement which you have not recorded (such as service charges, automatic transfers, electronic transactions, etc).	
5. ADJUSTED CHECKBOOK BALANCE:	

This balance should agree with line 10, below.

STATEMENT BALANCE	
6. LIST your current statement balance as shown on the front of this statement.	
7. ADD deposits made, but not shown on this statement.	
8. SUBTOTAL:	
9. SUBTRACT total from "Checks Outstanding."	
10. ADJUSTED STATEMENT BALANCE:	

This balance should agree with line 5, above.

PROMPTLY EXAMINE YOUR STATEMENT AND REPORT ANY PROBLEM

You must promptly examine your account statements and report any discoverable errors, unauthorized signatures, alterations, missing endorsements, or unauthorized transfers. Failure to do so may result in your loss of certain rights or remedies. For example, you must identify the discoverable alteration or forgery of a check within 30 days of us sending you, or making available to you, the statement reflecting that check, and you must also immediately report to us what you find. Businesses should check their account transactions daily, for which various online services are available. For additional information, please see your deposit account agreement and application service agreement(s) for details. See also the consumer disclosures below.

CONSUMER ACCOUNTS: IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS OR MONEY RESERVE TRANSACTIONS

If you think your statement is wrong, or if you need more information about a transfer on this statement or on a receipt, please telephone or write us. Please use the telephone number or the address listed on the front of this statement to contact us as you can. We must hear from you within **no later than 60 days** after we sent or made available the **FIRST** statement on which the problem or error appeared. The provisions in this paragraph do not apply to business or other non-personal accounts. The owners of those accounts must settle all unauthorized transactions or errors within **24 hours** of receipt of the item posting in order to be returned.

1. Tell us your name and account number.
2. Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and correct any error promptly. If we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

FOR MONEY RESERVE ACCOUNTS:

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR PERSONAL CREDIT LINE

(This is a Summary of Your Billing Rights).

If you think your statement is wrong, or you need more information about a transaction on your statement, write us at the address on the front of this statement as soon as possible. We must hear from you no later than 60 days after we sent you the first statement on which the error or problem appeared.

You can telephone us but doing so will not preserve your rights. In your letter, give us the following information.

1. Your name and account number.
2. The dollar amount of the suspected error.
3. Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question. You must notify us in writing. You can telephone us, but doing so will not preserve your rights. Contact us at California Bank & Trust, PO Box 25787, Salt Lake City, UT 84125-0787.

Balance Subject to Interest Rate: We use the method called "average daily balance", (including current transactions) to calculate the daily balance. If you have any further questions about the method and how resulting interest charges are determined, please feel free to contact us at 1-800-400-6080.

We may report information about your Money Reserve account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please notify us if we report any inaccurate information about your account(s) to a credit bureau. Your written notice describing the specific inaccuracy should be sent to us at the following address: California Bank & Trust, PO Box 25787, Salt Lake City, UT 84125-0787.

Thank you for banking with California Bank & Trust.

Become an Online Banking Customer for 24-hour account access.

*Review account balances • Review posted transactions • Pay bills • Transfer funds
Sign up today at www.calbanktrust.com or call 888-217-1265.

EXHIBIT "B"

000135



P.O. Box 489, Lawndale, CA 90260-0489

Page 3 of 4
August 23, 2013
CANDACE C SPIZZIRRI
3150179716

AGGREGATE OVERDRAFT AND RETURNED ITEM FEES

	<i>Total for This Period</i>	<i>Total Year-to-Date</i>
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.

DAILY BALANCES

<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>	<i>Date</i>	<i>Balance</i>
07/29	4,618.14	08/07	472.48	08/16	1,287.66
07/30	4,044.42	08/08	443.51	08/19	382.79
08/02	3,681.95	08/12	341.51	08/20	552.79
08/05	2,451.30	08/14	2,036.51	08/21	199.01
08/06	2,118.14	08/15	1,544.00	08/23	145.03

EXHIBIT "B"

000136



MEMBER FDIC

0003243-0000002-0005359

California Bank & Trust

Page 4 of 4

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EXHIBIT "B"

000137

EAST WEST BANK *Your Financial Bridge*
9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 4
STARTING DATE: August 01, 2013
ENDING DATE: August 31, 2013
Total days in statement period: 31
55-00001247
(18)

02 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675



Have your paycheck deposited safely and quickly with Direct Deposit. It saves you a trip to the bank and your money will be deposited to your account electronically. Simply provide our routing number 322070381 and your account number to the payroll department of your company.



Standard Business Checking

Account number	55-00001247	Beginning balance	\$9,754.13
Enclosures	18	Total additions	(1) 12,593.74
Low balance	\$4,965.23	Total subtractions	(18) 12,138.80
Average balance	\$10,113.37	Ending balance	\$10,209.07

CREDITS

Number	Date	Transaction Description	Additions
	08-16	Deposit TLR 6802 BR 8088	12,593.74

CHECKS

Number	Date	Amount	Number	Date	Amount
5001	08-07	325.00	5015	08-07	1,086.46
5004 *	08-05	169.16	5016	08-22	3,506.85
5005	08-07	69.60	5017	08-27	676.00
5006	08-07	112.70	5018	08-23	347.36
5008 *	08-05	340.21	5019	08-23	797.41
5009	08-06	281.58	5020	08-26	11.82
5010	08-05	249.66	5021	08-26	692.00
5011	08-05	429.77	5022	08-23	1,318.46
5013 *	08-06	308.43	* Skip in check sequence		
5014	08-05	1,416.33			

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
07-31	9,754.13	08-07	4,965.23	08-23	11,588.89
08-05	7,149.00	08-16	17,558.97	08-26	10,885.07
08-06	6,558.99	08-22	14,052.12	08-27	10,209.07





EASTWEST BANK *Your Financial Bridge™*

9300 Flair Drive Suite 106
El Monte CA 91731

MARC JOSEPH SPIZZIRRI

ACCOUNT STATEMENT

Page 2 of 4

STARTING DATE: August 01, 2013

ENDING DATE: August 31, 2013

55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





Checking Account 5500001247
Statement Date 08/31/2013
Page 3 of 4

8:13-bk-14702-MW
MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5001
PAY TO THE ORDER OF United States Trust
\$ 325.00
Three hundred twenty five and 00/100
MJS
08/07/2013 5001 \$325.00

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5010
PAY TO THE ORDER OF Directu
\$ 249.66
Two hundred forty nine and 66/100
MJS
08/05/2013 5010 \$249.66

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5004
PAY TO THE ORDER OF The Gas Company
\$ 169.16
one hundred sixty nine and 16/100
MJS
08/05/2013 5004 \$169.16

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5011
PAY TO THE ORDER OF The Gas Company
\$ 429.77
four hundred twenty nine and 77/100
MJS
08/05/2013 5011 \$429.77

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5005
PAY TO THE ORDER OF CR & R Freight
\$ 69.60
Sixty nine and 60/100
MJS
08/07/2013 5005 \$69.60

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5013
PAY TO THE ORDER OF Spunketts
\$ 308.43
Three hundred eight and 43/100
MJS
08/06/2013 5013 \$308.43

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5006
PAY TO THE ORDER OF Calligan
\$ 112.70
one hundred twelve and 70/100
MJS
08/07/2013 5006 \$112.70

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/28/13
5014
PAY TO THE ORDER OF San Diego Gas & Electric
\$ 1,416.33
one thousand four hundred sixteen and 33/100
MJS
08/05/2013 5014 \$1,416.33

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5008
PAY TO THE ORDER OF COX
\$ 340.21
three hundred forty and 21/100
MJS
08/05/2013 5008 \$340.21

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 8/1/13
5016
PAY TO THE ORDER OF First Republic Bank
\$ 1,086.46
one thousand eight hundred sixty six and 46/100
MJS
08/07/2013 5015 \$1,086.46

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 7/30/13
5009
PAY TO THE ORDER OF Liberty Mutual Group
\$ 281.58
two hundred eighty one and 58/100
MJS
08/06/2013 5009 \$281.58

MARC JOSEPH SPIZZURRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
3303 CANINO CAPISTRANO
SAN JUAN CAPISTRANO, CA 92075
DATE 8/15/13
5016
PAY TO THE ORDER OF California Bank & Trust
\$ 3,506.85
three thousand five hundred six and 85/100
MJS
08/22/2013 5016 \$3,506.85

In re:
Marc Joseph Spizzirri

Debtor(s).

CHAPTER: 11

CASE NUMBER: 8:13-bk-14702 MW

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **(AMENDED) OPERATING REPORT NO. 3** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 26, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:** On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

3/26/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702 MW
--	------------	--

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- James Andrew Hinds jhinds@jhindslaw.com, zbilowit@jhindslaw.com
- Stephen E Hyam shyam@clarktrev.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@intlax.com, jokeefe@intlax.com;nlockwood@intlax.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com, pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Paul R Shankman pshankman@jhindslaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@intlax.com, nlockwood@intlax.com;jokeefe@intlax.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com
- Barouir B Yeretian byeretian@jhindslaw.com, yeretian@gmail.com

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number:	8:13-bk-14702 MW
Operating Report Number:	4 (Amended)
For the Month Ending:	30-Sep-13

I. CASH RECEIPTS AND DISBURSEMENTS
A. (GENERAL ACCOUNT* AND SPOUSE ACCOUNT)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 109,403.74
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 99,039.64
	\$ -
3. BEGINNING BALANCE:	\$ 10,374.10
4. RECEIPTS DURING CURRENT PERIOD:	\$ 4,300.00
5. BALANCE:	\$ 14,674.10
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 13,521.38
7. ENDING BALANCE:	\$ 1,152.72
8. General Account Number(s):	55-00001247
	3150179716
Depository Name & Location:	EastWest Bank California Bank & Trust
	9300 Flair Drive, Suite 106 PO Box 489
	El Monte, CA 91731 Lawndale, CA 90260

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

TOTAL DISBURSEMENTS THIS PERIOD:	9,172.17
----------------------------------	----------

Bank statement Date: 9/30/2013 Balance on Statement: \$1,036.90

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>10/7/2013</u>	<u>\$ 833.50</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

TOTAL DEPOSITS IN TRANSIT

833.50

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5037</u>	<u> </u>	<u>Void</u>
<u>5038</u>	<u>10/3/2013</u>	<u>\$ 1,086.46</u>
<u>5039</u>	<u>10/4/2013</u>	<u>\$ 307.30</u>
<u>5040</u>	<u>10/4/2013</u>	<u>\$ 53.85</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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TOTAL OUTSTANDING CHECKS:

1,447.61

Bank statement Adjustments:

Explanation of Adjustments-

--

ADJUSTED BANK BALANCE:

\$422.79

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

Check No.	Date	Amount	Payee	Purpose
Auto	9/1/2013	\$ 234.15		
Auto (5073)	9/3/2013	\$ 100.00	Credit One	Goods
Auto (5072)	9/3/2013	\$ 327.55	Ford Motor Credit	Vehicle
Auto (5075)	9/3/2013	\$ 347.98	JP Morgan Chase	Goods
Auto	9/18/2013	\$ 226.92		
Auto (5086)	9/20/2013	\$ 100.00	Credit One	Goods
Auto (5084)	9/23/2013	\$ 157.08	Citibank	Goods
5061	8/23/2013	\$ 59.23	Ralphs	Food and goods
5062	8/29/2013	\$ 36.70	Costco	Food and goods
5063	9/6/2013	\$ 19.95	Postmaster	Mailing
5064	9/3/2013	\$ 55.00	Plaza Cleaners	Laundry
5065	9/4/2013	\$ 60.00	Bella Nails	Nail services
5066	9/5/2013	\$ 246.09	Costco	Food and goods
5067	9/5/2013	\$ 213.36	Ralphs	Food and goods
5068	9/5/2013	\$ 50.74	Ralphs	Food and goods
5069	9/5/2013	\$ 86.39	TJ Max	Goods
5070	9/6/2013	\$ 14.03	TJ Max	Goods
5071	9/10/2013	\$ 34.53	TJ Max	Goods
5074	9/4/2013	\$ 3.92	Quest	Utilities
5076	9/4/2013	\$ 5.74	Quest	Utilities
5077	9/4/2013	\$ 410.00	Hunt Club Community Assoc.	Residence HOA
5078	9/9/2013	\$ 105.00	Fred Frankenrath	Hair services
5080	9/17/2013	\$ 101.52	DMV	Vehicle
5081	9/17/2013	\$ 41.07	Ralphs	Food and goods
5082	9/23/2013	\$ 164.11	Vons	Food and goods
5083	9/23/2013	\$ 700.00	Mission Hospital	Medical
5085	9/23/2013	\$ 15.33	Mission Urgent Care	Medical
5087	9/24/2013	\$ 71.82	Nordstrom	Goods
5088	9/23/2013	\$ 76.44	Marbella Market	Food and goods
5089	9/25/2013	\$ 20.00	Marbella Market	Food and goods
5090	9/24/2013	\$ 120.00	Kate Jackson	Hair services
5091	9/24/2013	\$ 44.72	Ralphs	Food and goods
5092	9/25/2013	\$ 99.84	Trader Joes	Food and goods
Total		\$ 4,349.21		
Deposits	Date	Amount		
	8/29/2013	\$ 2,000.00		
	9/6/2013	\$ 300.00		
	9/16/2013	\$ 2,000.00		
Total		\$ 4,300.00		

II. STATUS OF PAYMENTS TO SECURED PARTIES LESSORS

TOTAL DUE:	\$ 147,668.00
------------	---------------

V. INSURANCE COVERAGE

Page 4 of 8

~~000147~~

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

n/a

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

n/a

Page 7 of 8

000151

XI. QUESTIONNAIRE

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X
-
3. State what progress was made during the reporting period toward filing a plan of reorganization. Disclosure Statement and Plan of Reorganization are due to be filed 11/30/2013.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X
-

I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

Date

3/26/2014

Page 8 of 8


Principal for debtor-in-possession

EAST WEST BANK *Your Financial Bridge™*
9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-5650

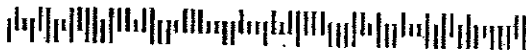
ACCOUNT STATEMENT

Page 1 of 3
STARTING DATE: September 01, 2013
ENDING DATE: September 30, 2013
Total days in statement period: 30
55-00001247
(12)



OZ 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675

g144g
08720



Have your paycheck deposited safely and quickly with Direct Deposit. It saves you a trip to the bank and your money will be deposited to your account electronically. Simply provide our routing number 322070381 and your account number to the payroll department of your company.

Standard Business Checking

Account number	55-00001247	Beginning balance	\$10,209.07
Enclosures	12	Total additions	0.00
Low balance	\$1,046.90	Total subtractions	9,172.17
Average balance	\$4,531.95	Ending balance	\$1,036.90

CHECKS

Number	Date	Amount	Number	Date	Amount
5024	09-03	3,506.85	5031	09-27	692.00
5025	09-04	44.99	5033 *	09-26	1,392.15
5026	09-06	503.56	5034	09-26	914.29
5027	09-04	563.14	5035	09-26	327.57
5028	09-05	69.68	5036	09-30	7.63
5029	09-04	53.85			
5030	09-09	1,086.46			

* Skip in check sequence

DEBITS

Date	Transaction Description	Subtractions
09-30	Maintenance Fee	10.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
08-31	10,209.07	09-05	5,970.56	09-26	1,746.53
09-03	6,702.22	09-06	5,467.00	09-27	1,054.53
09-04	6,040.24	09-09	4,380.54	09-30	1,036.90



EAST WEST BANK *Your Financial Bridge*

9300 Flair Drive Suite 106
El Monte CA 91731

MARC JOSEPH SPIZZIRRI

ACCOUNT STATEMENT

Page 2 of 3

STARTING DATE: September 01, 2013

ENDING DATE: September 30, 2013

55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





Checking Account 5500001247
Statement Date 09/30/2013
Page 3 of 3

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 8/14/13

PAY TO THE ORDER OF California Bank & Trust \$ 3506.65
Three thousand five hundred and six/100

09/03/2013 5024 \$3,506.65

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 9/5/13

PAY TO THE ORDER OF First Republic Bank \$ 1086.46
one thousand eighty six & 46/100

09/09/2013 5030 \$1,086.46

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 8/15/13

PAY TO THE ORDER OF First Republic Bank \$ 44.99
four and 99/100

09/04/2013 5025 \$44.99

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 9/23/13

PAY TO THE ORDER OF First Republic Bank \$ 692.00
six hundred and 00/100

09/27/2013 5031 \$692.00

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 8/30/13

PAY TO THE ORDER OF City of Redlands Corporation \$ 503.56
five hundred and three/100

09/06/2013 5026 \$503.56

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 9/13/13

PAY TO THE ORDER OF Kaiser Aluminum Global Corp. \$ 1,392.15
thirteen hundred and fifteen/100

09/26/2013 5033 \$1,392.15

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 8/30/13

PAY TO THE ORDER OF Robert Michael Group \$ 563.14
five hundred and sixty three/100

09/04/2013 5027 \$563.14

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 9/10/13

PAY TO THE ORDER OF SDGS E \$ 914.29
nine hundred and fourteen/100

09/26/2013 5034 \$914.29

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 8/30/13

PAY TO THE ORDER OF Sparklets \$ 69.68
sixty nine and 68/100

09/05/2013 5028 \$69.68

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 9/10/13

PAY TO THE ORDER OF Cox \$ 327.57
three hundred and twenty seven & 57/100

09/26/2013 5035 \$327.57

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 8/30/13

PAY TO THE ORDER OF Coogan \$ 53.85
five and 85/100

09/04/2013 5029 \$53.85

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-1002
3303 CANINO CARPENTARIO
SAN JUAN CAPISTRANO, CA 92675

DATE 9/23/13

PAY TO THE ORDER OF Palmville Utilities Company Inc \$ 7.63
seven and 63/100

09/30/2013 5036 \$7.63

25160



CALIFORNIA BANK
TRUST

P.O. Box 489, Lawndale, CA 90260-0489

Statement of Accounts

Page 1 of 4

This Statement: September 25, 2013

Last Statement: August 23, 2013

Account 3150179716

DIRECT INQUIRIES TO:

Customer Service 1 (800) 400-6080

0003214

4269-06-1000-CBT-PC0021-00000

CANDACE C SPIZZIRRI

POD MARC SPIZZIRRI

30721 HUNT CLUB DR

SAN JUAN CAPISTRANO CA 92675-1915

San Juan Capistrano
32221 Camino Capistrano
San Juan Capistrano, CA 92675-3721
(949) 248-0100

SUMMARY OF ACCOUNT BALANCE

Account Type	Account Number	Checking/Savings Ending Balance	Outstanding Balances Owed
Classic Checking	3150179716	\$95.82	

CLASSIC CHECKING 3150179716

Previous Balance	Deposits/Credits	Charges/Debits	Checks Processed	Ending Balance
145.03	4,300.00	1,493.68	2,855.53	95.82

3 DEPOSITS/CREDITS

Date	Amount	Description
08/29	2,000.00	DEPOSIT 5353064540
09/06	2,000.00	DEPOSIT 5353098655
09/16	2,000.00	DEPOSIT 5353157489

7 CHARGES/DEBITS

Date	Amount	Description
09/03	234.15	TRANSFER TO CRL 2896 ID: 246125713 2304007453
09/03	100.00	Credit One Bank Payment 5073 REF # 013246004183637 1104146414
09/03	327.55	FORD MOTOR CREDIT CHECKP 5072 REF # 013246004585894 1104178897
09/03	347.98	JP Morgan Chase CHECK P 5075 REF # 013246004398017 1104148373
09/18	226.92	TRANSFER TO CRL 3006 ID: 261083644 2304400849
09/20	100.00	Credit One Bank Payment 5086 REF # 013262003062260 1104522647
09/23	157.08	CITICARD PAYMENT CHECK 5084 REF # 013266003501745 1104719356

26 CHECKS PROCESSED

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
5061	08/27	59.23	5070	09/06	14.03	5083	09/23	700.00
5062	08/29	36.70	5071	09/10	34.53	5085*	09/23	15.33
5063	09/06	19.95	5074*	09/04	3.92	5087*	09/24	71.82
5064	09/03	55.00	5076*	09/04	5.74	5088	09/23	76.44
5065	09/04	60.00	5077	09/04	410.00	5089	09/25	20.00
5066	09/05	246.09	5078	09/09	105.00	5090	09/24	120.00
5067	09/05	213.36	5080*	09/17	101.52	5091	09/24	44.72
5068	09/05	50.74	5081	09/17	41.07	5092	09/25	99.84
5069	09/06	86.39	5082	09/23	164.11			

* Not in check sequence

EXHIBIT "B"

000156



MEMBER FDIC

0003214-0000001-0005290

To reconcile your checkbook balance to your statement balance: Mark off each entry in your check register that has been charged to your account during the statement period. List the checks you have written, but are not yet charged to your account in the "Checks Outstanding" column below. Then, follow the instructions in lines 1 through 10.

This balance should agree with line 10, below.

This balance should agree with line 5, above.

Transfer to Line 9

You must promptly examine your account statements and report any discoverable errors, unauthorized signatures, alterations, missing endorsements, or unauthorized transfers. Failure to do so may result in your loss of certain rights or remedies. For example, you must identify the discoverable alteration or forgery of a check within 30 days of us sending you, or making available to you, the statement reflecting that check, and you must also immediately report to us what you find. Businesses should check their account transactions daily, for which various online services are available. For additional information, please see your deposit account agreement and application service agreement(s) for details. See also the consumer disclosures below.

If you think your statement is wrong, or if you need more information about a transfer on this statement or on a receipt, please telephone or write us. Please use the telephone number or address listed on the front of this statement to contact us as you can. We must hear from you no later than 60 days after we sent or made available the FIRST statement on which the problem or error appeared. The provisions in this paragraph do not apply to business or other non-personal accounts. The owners of those accounts must settle all unauthorized debits, transactions or errors within 24 hours of receipt of the item posting in order to be returned.

- We will investigate your complaint and correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

(This is a Summary of Your Billing Rights).

If you think your statement is wrong, or you need more information about a transaction on your statement, write us at the address on the front of this statement as soon as possible. We must hear from you no later than 60 days after we sent you the first statement on which the error or problem appeared.

1. Your name and account number.
2. The dollar amount of the suspected error.
3. Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question. You must notify us in writing. You can telephone us, but doing so will not preserve your rights. Contact us at California Bank & Trust, P.O. Box 25787, Salt Lake City, UT 84125-0787.

Balance Subject to Interest Rate: We use the method called "average daily balance", (including current transactions) to calculate the daily balance. If you have any further questions about the method and how resulting interest charges are determined, please feel free to contact us at 1-800-400-6080.

We may report information about your Money Reserve account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please notify us if we report any inaccurate information about your account(s) to a credit bureau. Your written notice describing the specific inaccuracy should be sent to us at the following address: California Bank & Trust, PO Box 25787, Salt Lake City, UT 84125-0787.

Thank you for banking with California Bank & Trust.

Become an Online Banking Customer for 24-hour account access.

• Review account balances • Review posted transactions • Pay bills • Transfer funds
Sign up today at www.calbanktrust.com or call 888-217-1265.



P.O. Box 489, Lawndale, CA 90260-0489

Page 3 of 4
September 25, 2013
CANDACE C SPIZZIRRI
3150179716

AGGREGATE OVERDRAFT AND RETURNED ITEM FEES

	<i>Total for This Period</i>	<i>Total Year-to-Date</i>
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.

DAILY BALANCES

<i>Date.....</i>	<i>Balance</i>	<i>Date.....</i>	<i>Balance</i>	<i>Date.....</i>	<i>Balance</i>
08/27	85.80	09/06	174.20	09/18	1,665.16
08/29	2,049.10	09/09	69.20	09/20	1,565.16
09/03	984.42	09/10	34.67	09/23	452.20
09/04	504.76	09/16	2,034.67	09/24	215.66
09/05	-5.43	09/17	1,892.08	09/25	95.82

EXHIBIT "B"

000158



California Bank & Trust

Page 4 of 4

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EXHIBIT "B"

000159

In re:
Marc Joseph Spizzirri

Debtor(s).

CHAPTER: **11**

CASE NUMBER: **8:13-bk-14702 MW**

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**840 Newport Center Drive
Suite 750
Newport Beach, CA 92660**

A true and correct copy of the foregoing document entitled: **(AMENDED) OPERATING REPORT NO. 4** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 26, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

3/26/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re:
Marc Joseph Spizzirri

Debtor(s).

CHAPTER 11

CASE NUMBER 8:13-bk-14702 MW

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- James Andrew Hinds jhinds@jhindslaw.com, zbilowit@jhindslaw.com
- Stephen E Hyam shyam@clarktreve.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@intlflow.com, jokeefe@intlflow.com;nlockwood@intlflow.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com,
pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Paul R Shankman pshankman@jhindslaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@intlflow.com, nlockwood@intlflow.com;jokeefe@intlflow.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com
- Barouir B Yeretian byeretian@jhindslaw.com, yeretian@gmail.com

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
CENTRAL DISTRICT OF CALIFORNIA

In Re:

MARC JOSEPH SPIZZIRRI

Debtor(s).

CHAPTER 11 (NON-BUSINESS)

Case Number: 8:13-bk-14702 MW
Operating Report Number: 5 (Amended)
For the Month Ending: 31-Oct-13

I. CASH RECEIPTS AND DISBURSEMENTS
A. (GENERAL ACCOUNT* AND SPOUSE ACCOUNT)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$	113,703.74
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$	112,561.02
	\$	-
3. BEGINNING BALANCE:	\$	1,152.72
4. RECEIPTS DURING CURRENT PERIOD:	\$	8,333.50
5. BALANCE:	\$	9,486.22
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$	7,478.29
7. ENDING BALANCE:	\$	2,007.93
8. General Account Number(s):	55-00001247	
	3150179716	
Depository Name & Location:	EastWest Bank	California Bank & Trust
	9300 Flair Drive, Suite 106	PO Boxes 489
	El Monte, CA 91731	Lawndale, CA 90260

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

TOTAL DISBURSEMENTS THIS PERIOD:	4,905.68
----------------------------------	----------

Bank statement Date: 10/31/2013 Balance on Statement: \$464.72

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
---------------------	-----------------------

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

TOTAL DEPOSITS IN TRANSIT

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
---------------------	-------------------	---------------------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

TOTAL OUTSTANDING CHECKS:

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

Check No.	Date	Amount	Payee	Purpose
Auto	10/4/2013	\$ 219.37	Credit Line	Goods
Auto	10/16/2013	\$ 224.36	Credit Line	Goods
Auto	10/23/2013	\$ 3.19	Harland Clarke Check Order	Banking
Auto	10/23/2013	\$ 13.99	Harland Clarke Check Order	Banking
5093	9/30/2013	\$ 26.99	TJ Max	Goods
5094	9/27/2013	\$ 33.34	Marbella Market	Food and goods
5095	10/8/2013	\$ 121.91	Nordstrom Rack	Goods
5096	10/0/2013	\$ 128.67	Marbella Market	Food and goods
5097	10/10/2013	\$ 51.68	Marshals	Goods
5098	10/11/2013	\$ 45.56	Ralphs	Food and goods
5099	10/10/2013	\$ 105.00	Fred Frankenrath	Hair services
5100	10/15/2013	\$ 217.80	Costco	Food and goods
5101	10/17/2013	\$ 400.00	Hunt Club Community Assoc.	Residence HOA
5102	10/16/2013	\$ 53.58	Ralphs	Food and goods
5103	10/18/2013	\$ 14.03	Marshals	Goods
5104	10/21/2013	\$ 131.16	Vons	Food and goods
5105	10/22/2013	\$ 75.57	Marshals	Goods
5106	10/20/2013	\$ 128.95	Ralphs	Food and goods
5107	10/22/2013	\$ 47.31	Vons	Food and goods
5108	10/23/2013	\$ 60.00	Bella Nails	Nail services
5109	10/22/2013	\$ 6.27	Vons	Food and goods
5110	10/21/2013	\$ 59.00	Petco	Pet supplies
5111	10/22/2013	\$ 56.90	Ralphs	Food and goods
6622522	10/10/2013	\$ 347.98		
Total		\$ 2,572.61		
Deposits	Date	Amount		
	10/4/2013	\$ 2,000.00		
	10/18/2013	\$ 2,000.00		
Total		\$ 4,000.00		

(Provide a copy of of monthly account statements for each of the below)

**Petty Cash (from below):	0.00
----------------------------	------

464.72

[illegible]

0.00

000167

[illegible]

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization. Disclosure Statement and Plan of Reorganization are due to be filed 11/30/2013.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-

I, Marc J. Spizzirri
 declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

3/26/2014
 Date

Page 8 of 8



 Principal for debtor-in-possession

EXHIBIT "B"

000170



EAST WEST BANK *Your Financial Bridge*

9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-6650

ACCOUNT STATEMENT

Page 1 of 3

STARTING DATE: October 01, 2013

ENDING DATE: October 31, 2013

Total days in statement period: 31

55-00001247

(0)



kaz4c
02979

02 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675



Give the perfect gift in the upcoming holiday season. The East West Bank Gift Card can be used at millions of locations where Visa® cards are accepted. Purchase your Card at your nearest East West Bank branch.

Standard Business Checking

Account number	55-00001247	Beginning balance	\$1,036.90
Enclosures	8	Total additions	(2) 4,333.50
Low balance	\$-49.56	Total subtractions	(9) 4,905.68
Average balance	\$956.12	Ending balance	\$464.72

CREDITS

Number	Date	Transaction Description	Additions
	10-07	Deposit	833.50
	10-23	Deposit	3,500.00

CHECKS

Number	Date	Amount	Number	Date	Amount
5038	10-04	1,086.46	5042	10-22	9.71
5039	10-09	307.30	5043	10-21	128.02
5040	10-08	53.85	5044	10-21	69.60
5041	10-17	83.50	5045	10-28	3,134.24

DEBITS

Date	Transaction Description	Subtractions
10-31	Maintenance Fee	33.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
09-30	1,036.90	10-09	422.79	10-23	3,631.96
10-04	-49.56	10-17	339.29	10-28	497.72
10-07	783.94	10-21	141.67	10-31	464.72
10-08	730.09	10-22	131.96		





9300 Flair Drive Suite 106
El Monte CA 91731

MARC JOSEPH SPIZZIRRI

ACCOUNT STATEMENT

Page 2 of 3

STARTING DATE: October 01, 2013

ENDING DATE: October 31, 2013

55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





Checking Account 5500001247
Statement Date 10/31/2013
Page 3 of 3

MARIO JOSEPH SPEZZINI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-102
33033 CARMICHAEL CAVE RD
SAN JUAN CAPISTRANO, CALIF 92575

DATE 10/3/13

PAYEE First Republic Bank

AMOUNT \$ 1086.46

10/04/2013 5038 \$1,086.46

MARIO JOSEPH SPEZZINI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-102
33033 CARMICHAEL CAVE RD
SAN JUAN CAPISTRANO, CALIF 92575

DATE 10/14/13

PAYEE C.R. ...

AMOUNT \$ 69.60

10/21/2013 5044 \$69.60

MARIO JOSEPH SPEZZINI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-102
33033 CARMICHAEL CAVE RD
SAN JUAN CAPISTRANO, CALIF 92575

DATE 10/4/13

PAYEE ...

AMOUNT \$ 307.30

10/09/2013 5039 \$307.30

MARIO JOSEPH SPEZZINI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-102
33033 CARMICHAEL CAVE RD
SAN JUAN CAPISTRANO, CALIF 92575

DATE 10/23/13

PAYEE California Bank & Trust

AMOUNT \$ 3,134.24

10/28/2013 5045 \$3,134.24

MARIO JOSEPH SPEZZINI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-102
33033 CARMICHAEL CAVE RD
SAN JUAN CAPISTRANO, CALIF 92575

DATE 10/4/13

PAYEE ...

AMOUNT \$ 53.85

10/08/2013 5040 \$53.85

MARIO JOSEPH SPEZZINI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-102
33033 CARMICHAEL CAVE RD
SAN JUAN CAPISTRANO, CALIF 92575

DATE 10/4/13

PAYEE Anai Vista Estates

AMOUNT \$ 83.50

10/17/2013 5041 \$83.50

MARIO JOSEPH SPEZZINI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-102
33033 CARMICHAEL CAVE RD
SAN JUAN CAPISTRANO, CALIF 92575

DATE 10/14/13

PAYEE Palmdale Utilities Company, Inc.

AMOUNT \$ 9.71

10/22/2013 5042 \$9.71

MARIO JOSEPH SPEZZINI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-102
33033 CARMICHAEL CAVE RD
SAN JUAN CAPISTRANO, CALIF 92575

DATE 10/14/13

PAYEE ...

AMOUNT \$ 128.02

10/21/2013 5043 \$128.02



CALIFORNIA BANK
TRUST

P.O. Box 489, Lawndale, CA 90260-0489

Statement of Accounts

Page 1 of 4

This Statement: October 24, 2013

Last Statement: September 25, 2013

Account 3150179716

DIRECT INQUIRIES TO:

Customer Service 1 (800) 400-6080

0003136

4298-06-0000-CBT-PC0021-00000

CANDACE C SPIZZIRRI

POD MARC SPIZZIRRI

30721 HUNT CLUB DR

SAN JUAN CAPISTRANO CA 92675-1915

San Juan Capistrano
32221 Camino Capistrano
San Juan Capistrano, CA 92675-3721
(949) 248-0100

SUMMARY OF ACCOUNT BALANCE

Account Type	Account Number	Checking/Savings Ending Balance	Outstanding Balances Owed
Classic Checking	3150179716	\$1,523.21	

CLASSIC CHECKING 3150179716

Previous Balance	Deposits/Credits	Charges/Debits	Checks Processed	Ending Balance
95.82	4,000.00	460.91	2,111.70	1,523.21

2 DEPOSITS/CREDITS

Date	Amount	Description
10/04	2,000.00	DEPOSIT 5353132477
10/18	2,000.00	DEPOSIT 5353046887

4 CHARGES/DEBITS

Date	Amount	Description
10/04	219.37	AUTO PMT CREDIT LINE 3210013008
10/16	224.36	AUTO PMT CREDIT LINE 3210012896
10/23	3.19	HARLAND CLARKE CHK ORDER REF # 013295007209615 1103510461
10/23	13.99	HARLAND CLARKE CHK ORDER REF # 013295007209616 1103510462

20 CHECKS PROCESSED

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
5093	09/30	26.99	5100	10/15	217.80	5107	10/22	47.31
5094	09/27	33.34	5101	10/17	400.00	5108	10/23	60.00
5095	10/08	121.91	5102	10/16	53.58	5109	10/22	6.27
5096	10/09	128.67	5103	10/18	14.03	5110	10/21	59.00
5097	10/10	51.68	5104	10/21	131.16	5111	10/22	56.90
5098	10/11	45.56	5105	10/22	75.57	6622522*	10/10	347.98
5099	10/10	105.00	5106	10/21	128.95			

* Not in check sequence

AGGREGATE OVERDRAFT AND RETURNED ITEM FEES

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.

EXHIBIT "B"

000174



MEMBER FDIC

0003136-0000001-0005159

Page 2 of 4

This balance should agree with line 5, above.

0003136-0000001-0005159



P.O. Box 489, Lawndale, CA 90260-0489

Page 3 of 4
October 24, 2013
CANDACE C SPIZZIRRI
3150179716

DAILY BALANCES

<i>Date.....</i>	<i>Balance</i>	<i>Date.....</i>	<i>Balance</i>	<i>Date.....</i>	<i>Balance</i>
09/27	62.48	10/10	1,060.88	10/18	2,105.55
09/30	35.49	10/11	1,015.32	10/21	1,786.44
10/04	1,816.12	10/15	797.52	10/22	1,600.39
10/08	1,694.21	10/16	519.58	10/23	1,523.21
10/09	1,565.54	10/17	119.58		

EXHIBIT "B"

000176



MEMBER FDIC

0003136-0000002-0005160

California Bank & Trust

Page 4 of 4

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EXHIBIT "B"

000177

In re: Marc Joseph Spizzirri Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
--	--

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **(AMENDED) OPERATING REPORT NO. 5** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 26, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

3/26/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re:
Marc Joseph Spizzirri

Debtor(s).

CHAPTER 11

CASE NUMBER 8:13-bk-14702 MW

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- James Andrew Hinds jhinds@jhindslaw.com, zbilowit@jhindslaw.com
- Stephen E Hyam shyam@clarktrev.com
- John Mark Jennings jjennings@shblp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@intlaw.com, jokeefe@intlaw.com;nlockwood@intlaw.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com,
pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Paul R Shankman pshankman@jhindslaw.com
- Leonard M Shulman lshulman@shblp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@intlaw.com, nlockwood@intlaw.com;jokeefe@intlaw.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com
- Barouir B Yeretian byeretian@jhindslaw.com, yeretian@gmail.com

In Re:
MARC JOSEPH SPIZZIRRI
Debtor(s).

CHAPTER 11 (NON-BUSINESS)
Case Number: 8:13-bk-14702 MW
Operating Report Number: 6 (Amended)
For the Month Ending: 30-Nov-13

I. CASH RECEIPTS AND DISBURSEMENTS
A. (GENERAL ACCOUNT* AND SPOUSE ACCOUNT)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 122,037.24
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 120,039.31
	\$ -
3. BEGINNING BALANCE:	\$ 2,007.93
4. RECEIPTS DURING CURRENT PERIOD:	\$ 3,000.00
5. BALANCE:	\$ 5,007.93
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 3,535.98
7. ENDING BALANCE:	\$ 1,471.95
8. General Account Number(s):	55-00001247
Spouse Account:	3150179716
Depository Name & Location:	EastWest Bank California Bank & Trust 9300 Flair Drive, Suite 106 PO Box 489 El Monte, CA 91731 Lawndale, CA 90260

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

[illegible]

Bank statement Date: 11/30/2013 Balance on Statement: \$326.87

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>12/13/2013</u>	<u>\$ 17,000.00</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

TOTAL DEPOSITS IN TRANSIT

17,000.00

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5046</u>	<u>12/13/2013</u>	<u>\$ 1,769.69</u>
<u>5047</u>	<u>12/13/2013</u>	<u>\$ 88.41</u>
<u>5048</u>	<u>12/13/2013</u>	<u>Void</u>
<u>5049</u>	<u>12/13/2013</u>	<u>\$ 1,384.00</u>
<u>5050</u>	<u>12/13/2013</u>	<u>\$ 112.70</u>
<u>5051</u>	<u>12/13/2013</u>	<u>\$ 177.83</u>
<u>5052</u>	<u>12/13/2013</u>	<u>\$ 360.37</u>
<u>5053</u>	<u>12/13/2013</u>	<u>\$ 319.76</u>
<u>5054</u>	<u>12/13/2013</u>	<u>Void</u>
<u>5055</u>	<u>12/13/2013</u>	<u>\$ 3,506.84</u>
<u>5056</u>	<u>12/13/2013</u>	<u>\$ 3,681.26</u>
<u>5057</u>	<u>12/13/2013</u>	<u>\$ 325.00</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
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<u> </u>	<u> </u>	<u> </u>

TOTAL OUTSTANDING CHECKS:

11,725.86

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

\$5,601.01

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

Check No.	Date	Amount	Payee	Purpose
Auto (5116)	10/29/2013	\$ 692.00	Allstate Insurance	Insurance Premium
Auto	11/1/2013	\$ 159.95	Credit Line	Goods
Auto	11/1/2013	\$ 208.06	Credit Line	Goods
Auto	11/4/2013	\$ 40.73	Credit Line	Goods
Auto	11/7/2013	\$ 313.84	Cox	Utilities
Auto (5124)	11/8/2013	\$ 56.80	Rite Aid	Goods
Auto	11/8/2013	\$ 209.95	Credit One	Goods
Auto	11/18/2013	\$ 67.00		
Auto (5133)	11/25/2013	\$ 17.46	Rite Aid	Goods
5079	11/5/2013	\$ 16.00	DMV	Vehicle
5112	11/6/2013	\$ 156.26	The Pool Doctor	Pool services
5113	10/25/2013	\$ 107.97	Marshals	Goods
5114	10/28/2013	\$ 15.54	Postmaster	Postage
5115	10/25/2013	\$ 81.71	Ralphs	Food and goods
5117	10/28/2013	\$ 34.78	Farmer's Market	Food and goods
5118	10/28/2013	\$ 43.20	Cody Rose	Services
5119	10/31/2013	\$ 180.00	Kate Jackson	Hair services
5120	11/6/2013	\$ 100.00	Lena Schafer	Services
5121	11/12/2013	\$ 247.00	DMV	Vehicle
5122	11/8/2013	\$ 98.28	Vons	Food and goods
5123	11/7/2013	\$ 23.47	Vons	Food and goods
5125	11/13/2013	\$ 68.00	Bella Nails	Nail services
5126	11/12/2013	\$ 105.00	Fred Frankenrath	Hair services
5127	11/12/2013	\$ 83.25	Ralphs	Food and goods
5128	11/18/2013	\$ 31.91	Mission Wrap & Mail	Services
5129	11/15/2013	\$ 106.85	Ralphs	Food and goods
5131	11/25/2013	\$ 32.78	Rite Aid	Goods
5134	11/26/2013	\$ 27.74	Marshals	Goods
5135	11/26/2013	\$ 19.95	Williams Sonoma	Goods
5137	11/26/2013	\$ 52.65	Cloud Nine Bakery	Goods
Total		\$ 3,398.13		
Deposits	Date	Amount		
	11/4/2013	\$ 2,000.00		
	11/25/2013	\$ 1,000.00		
Total		\$ 3,000.00		

II. STATUS OF PAYMENT Main Document Page 190 of 241 LESSORS
AND OTHER PAYMENT Main Document Page 5 of 16 ACTS

TOTAL DUE:	\$ 221,502.00
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V. INSURANCE COVERAGE

Page 4 of 8

[illegible]

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization. Disclosure Statement and Plan of Reorganization are being formulated.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-

I, Marc J. Spizzirri

declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

3/28/2014

Date

Page 8 of 8


Principal for debtor-in-possession

EXHIBIT "B"


000188

 **EAST WEST BANK** *Your Financial Bridge™*
9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 1
STARTING DATE: November 01, 2013
ENDING DATE: November 30, 2013
Total days in statement period: 30
55-00001247
(0)

 02 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675

ngo41
09711



Give the perfect gift in the upcoming holiday season. The East West Bank Gift Card can be used at millions of locations where Visa® cards are accepted. Purchase your Card at your nearest East West Bank branch.

Standard Business Checking

Account number	55-00001247	Beginning balance		\$464.72
Low balance	\$338.87	Total additions	(0)	.00
Average balance	\$364.83	Total subtractions	(3)	137.85
		Ending balance		\$326.87

DEBITS

Date	Transaction Description	Subtractions
11-06	Preauth Debit SAFEGUARDS MANUAL DIR 131108 MARC JOSEPH SPI	51.04
11-08	Preauth Debit SAFEGUARD CHK SUPPLY 131108 PGWJZK	74.81
11-30	Maintenance Fee	12.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
10-31	464.72	11-08	338.87		
11-06	413.68	11-30	326.87		

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





Statement of Accounts

Page 1 of 4

This Statement: November 26, 2013

Last Statement: October 24, 2013

Account 3150179716

DIRECT INQUIRIES TO:

Customer Service 1 (800) 400-6080

0003104

4331-06-0000-CBT-PC0021-00000

CANDACE C SPIZZIRRI
 POD MARC SPIZZIRRI
 30721 HUNT CLUB DR
 SAN JUAN CAPISTRANO CA 92675-1915

San Juan Capistrano
 32221 Camino Capistrano
 San Juan Capistrano, CA 92675-3721
 (949) 248-0100

HOME EQUITY CREDIT LINE SPECIAL OFFER - GOOD THROUGH 1/31/14

A CB&T Home Equity Credit Line gives you easy access to the funds you need to do things such as consolidate debt, make home improvements, buy a new car or pay tuition. Take advantage of our limited time special offer and enjoy the peace of mind that comes from knowing you can pay for life's necessities or unexpected expenses. Subject to credit approval, restrictions apply. To find out about our special offer, contact your local branch or call TeleLoan at (800) 429-7685.

SUMMARY OF ACCOUNT BALANCE

Account Type	Account Number	Checking/Savings Ending Balance	Outstanding Balances Owed
Classic Checking	3150179716	\$1,125.08	

CLASSIC CHECKING 3150179716

Previous Balance	Deposits/Credits	Charges/Debits	Checks Processed	Ending Balance
1,523.21	3,000.00	1,765.79	1,632.34	1,125.08

2 DEPOSITS/CREDITS

Date	Amount	Description
11/04	2,000.00	DEPOSIT 5353166766
11/25	1,000.00	DEPOSIT 5353140018

9 CHARGES/DEBITS

Date	Amount	Description
10/29	692.00	Allstate Ins Co CHECKPA 5116 REF # 013302009853269 1103726311
11/01	159.95	AUTO PMT CREDIT LINE 3210013006
11/01	208.06	AUTO PMT CREDIT LINE 3210012896
11/04	40.73	AUTO PMT CREDIT LINE 3210013006
11/07	313.84	COX ENTERPRISES BROADBA 2152812 REF # 013311005160809 1104630384
11/08	56.80	RITE AID 05750 PURCHASE 5124 SANJCAREF # 013312005721474 1105435074
11/08	209.95	Credit One Bank Payment 0000062863595 REF # 013311005517752 1105423392
11/18	67.00	RITE AID 05750 PURCHASE 5130 SANJCAREF # 013322009110025 1105523016
11/25	17.46	RITE AID 05750 PURCHASE 5133 SANJCAREF # 013329002222661 1107141144



MEMBER FDIC

EXHIBIT "B"

000190

0003104-0000001-0005325

To reconcile your checkbook balance to your statement balance: Mark off each entry in your check register that has been charged to your account during the statement period. List the checks you have written, but are not yet charged to your account in the "Checks Outstanding" column below. Then, follow the instructions in lines 1 through 10.

CHECKS OUTSTANDING	
Check Number	Check Amount
TOTAL:	

Transfer to Line 9.

CHECKBOOK BALANCE	
1. LIST your checkbook balance.	
2. ADD any deposits or other credits listed on the front of this statement which you have not recorded in your checkbook (such as payroll credits or other direct electronic deposits).	
3. SUBTOTAL:	
4. SUBTRACT any charges listed on the front of this statement which you have not recorded (such as service charges, automatic transfers, electronic transactions, etc).	
5. ADJUSTED CHECKBOOK BALANCE:	

This balance should agree with line 10, below.

STATEMENT BALANCE	
6. LIST your current statement balance as shown on the front of this statement.	
7. ADD deposits made, but not shown on this statement.	
8. SUBTOTAL:	
9. SUBTRACT total from "Checks Outstanding."	
10. ADJUSTED STATEMENT BALANCE:	

This balance should agree with line 5, above.

PROMPTLY EXAMINE YOUR STATEMENT AND REPORT ANY PROBLEM

You must promptly examine your account statements and report any discoverable errors, unauthorized signatures, alterations, missing endorsements, or unauthorized transfers. Failure to do so may result in your loss of certain rights or remedies. For example, you must identify the discoverable alteration or forgery of a check within 30 days of us sending you, or making available to you, the statement reflecting that check, and you must also immediately report to us what you find. Businesses should check their account transactions daily, for which various online services are available. For additional information, please see your deposit account agreement and application service agreement(s) for details. See also the consumer disclosures below.

CONSUMER ACCOUNTS: IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS OR MONEY RESERVE TRANSACTIONS

If you think your statement is wrong, or if you need more information about a transfer on this statement or on a receipt, please telephone or write us. Please use the telephone number or address listed on the front of this statement to contact us as you can. We must hear from you no later than 60 days after we sent or made available the FIRST statement on which the problem or error appeared. The provisions in this paragraph do not apply to business or other non-personal accounts. The owners of those accounts must settle all unauthorized transactions or errors within 24 hours of receipt of the item posting in order to be returned.

1. Tell us your name and account number.
2. Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and correct any error promptly. If we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

FOR MONEY RESERVE ACCOUNTS:

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR PERSONAL CREDIT LINE

(This is a Summary of Your Billing Rights)

If you think your statement is wrong, or you need more information about a transaction on your statement, write us at the address on the front of this statement as soon as possible. We must hear from you no later than 30 days after we sent you the first statement on which the error or problem appeared.

You can telephone us but doing so will not preserve your rights. In your letter, give us the following information.

1. Your name and account number.
2. The dollar amount of the suspected error.
3. Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question. You must notify us in writing. You can telephone us, but doing so will not preserve your rights. Contact us at California Bank & Trust, PO Box 25787, Salt Lake City, UT 84125-9787.

Balance Subject to Interest Rate: We use the method called "average daily balance", (including current transactions) to calculate the daily balance. If you have any further questions about the method and how resulting interest charges are determined, please feel free to contact us at 1-800-400-8080.

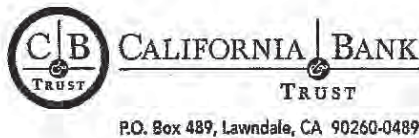
We may report information about your Money Reserve account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please notify us if we report any inaccurate information about your account(s) to a credit bureau. Your written notice describing the specific inaccuracy should be sent to us at the following address: California Bank & Trust, PO Box 25787, Salt Lake City, UT 84125-0787.

Thank you for banking with California Bank & Trust.

Become an Online Banking Customer for 24-hour account access.

*Review account balances • Review posted transactions • Pay bills • Transfer funds
Sign up today at www.calbanktrust.com or call 888-217-1265.



Page 3 of 4
November 26, 2013
CANDACE C SPIZZIRRI
3150179716

21 CHECKS PROCESSED

Number.....	Date.....	Amount	Number.....	Date.....	Amount	Number.....	Date.....	Amount
5079	11/05	16.00	5119	10/31	180.00	5127	11/12	83.25
5112*	11/06	156.26	5120	11/06	100.00	5128	11/18	31.91
5113	10/25	107.97	5121	11/12	247.00	5129	11/15	106.85
5114	10/28	15.54	5122	11/08	98.28	5131*	11/25	32.78
5115	10/25	81.71	5123	11/07	23.47	5134*	11/26	27.74
5117*	10/28	34.78	5125*	11/13	68.00	5135	11/26	19.95
5118	10/29	43.20	5126	11/12	105.00	5137*	11/26	52.65

* Not in check sequence

AGGREGATE OVERDRAFT AND RETURNED ITEM FEES

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.

DAILY BALANCES

Date.....	Balance	Date.....	Balance	Date.....	Balance
10/25	1,333.53	11/05	1,943.27	11/13	481.42
10/26	1,283.21	11/06	1,687.01	11/15	374.57
10/29	548.01	11/07	1,349.70	11/18	275.66
10/31	368.01	11/08	984.67	11/25	1,225.42
11/01	0.00	11/12	549.42	11/26	1,125.08
11/04	1,959.27				



MEMBER FDIC

EXHIBIT "B"

000192

0003104-0000002-0006326

California Bank & Trust

Page 4 of 4

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EXHIBIT "B"

000193

0003104-0000002-0006326

In re:
Marc Joseph Spizzirri

Debtor(s).

CHAPTER: 11

CASE NUMBER: 8:13-bk-14702 MW

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

**840 Newport Center Drive
Suite 750
Newport Beach, CA 92660**

A true and correct copy of the foregoing document entitled: **(AMENDED) OPERATING REPORT NO. 6** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 26, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

3/26/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702 MW
--	------------	--

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- James Andrew Hinds jhinds@jhindslaw.com, zbilowit@jhindslaw.com
- Stephen E Hyam shyam@clarktrev.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@Intlaw.com, jokeefe@Intlaw.com;nlockwood@Intlaw.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com,
pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Paul R Shankman pshankman@jhindslaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@Intlaw.com, nlockwood@Intlaw.com;jokeefe@Intlaw.com
- United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wgllp.com, lfisk@wgllp.com
- Barouir B Yeretzian byeretzian@jhindslaw.com, yeretzian@gmail.com

UNITED STATES DEPARTMENT OF JUSTICE
 OFFICE OF THE UNITED STATES TRUSTEE
 CENTRAL DISTRICT OF CALIFORNIA

In Re: MARC JOSEPH SPIZZIRRI <div style="text-align: right;">Debtor(s).</div>	CHAPTER 11 (NON-BUSINESS) Case Number: 8:13-bk-14702 MW Operating Report Number: 7 (Amended) For the Month Ending: 31-Dec-13
---	---

I. CASH RECEIPTS AND DISBURSEMENTS
 A. (GENERAL ACCOUNT* AND SPOUSE ACCOUNT)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 125,037.24
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$ 123,575.29
	\$ -
3. BEGINNING BALANCE:	\$ 1,471.95
4. RECEIPTS DURING CURRENT PERIOD:	\$ 23,000.00
5. BALANCE:	\$ 24,471.95
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$ 20,627.77
7. ENDING BALANCE:	\$ 3,844.18
8. General Account Number(s):	55-00001247
Spouse Account Number:	3150179716
Depository Name & Location:	EastWest Bank California Bank & Trust
	9300 Flair Drive, Suite 106 PO Box 439
	El Monte, CA 91731 Lawndale, CA 90260

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

TOTAL DISBURSEMENTS THIS PERIOD:	11,737.86
----------------------------------	-----------

000197

Bank statement Date: 12/31/2013 Balance on Statement: \$3,589.01

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>
<u>1/8/2014</u>	<u>\$ 5,000.00</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

TOTAL DEPOSITS IN TRANSIT

5,000.00

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>
<u>5058</u>	<u>1/8/2014</u>	<u>\$ 3,638.29</u>
<u> </u>	<u> </u>	<u> </u>
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TOTAL OUTSTANDING CHECKS:

3,638.29

Bank statement Adjustments:

Explanation of Adjustments-

--

ADJUSTED BANK BALANCE:

\$4,950.72

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

Check No.	Date	Amount	Payee	Purpose
Auto (5141)	11/27/2013	\$ 116.64	Steve Madden	Goods
Auto	12/5/2013	\$ 193.80	Credit Line	Goods
Auto	12/5/2013	\$ 199.70	Credit Line	Goods
Auto (5155)	12/13/2013	\$ 38.92	Rite Aid	Goods
Auto (5160)	12/16/2013	\$ 19.74	Target	Goods
Auto (5168)	12/18/2013	\$ 11.59	Ross Stores	Goods
Auto (5167)	12/18/2013	\$ 42.71	Rite Aid	Goods
Auto (5177)	12/20/2013	\$ 33.03	CVS	Goods
Auto	12/24/2013	\$ 110.00	Credit On Bank	Goods
5132	12/2/2013	\$ 22.00	Raffna	Cleaners
5136	11/27/2013	\$ 100.00	Griffin Optometry	Medical
5138	11/27/2013	\$ 120.00	Kate Jackson	Hair services
5139	11/27/2013	\$ 316.84	Ralphs	Food and goods
5140	11/29/2013	\$ 21.19	Vons	Food and goods
5142	11/29/2013	\$ 349.49	Costco	Food and goods
5143	12/2/2013	\$ 134.95	Ralphs	Food and goods
5144	12/5/2013	\$ 2,594.80	First Republic Bank	Mortgage
5145	12/9/2013	\$ 118.10	Vons	Food and goods
5146	12/9/2013	\$ 160.61	Trader Joes	Food and goods
5147	12/10/2013	\$ 32.39	Home Goods	Goods
5148	12/10/2013	\$ 62.56	Marshalls	Goods
5159	12/11/2013	\$ 300.11	Marshalls	Goods
5150	12/10/2013	\$ 144.68	Marshalls	Goods
5151	12/10/2013	\$ 252.96	Nordstrom Rack	Goods
5152	12/10/2013	\$ 81.22	Nordstrom	Goods
5153	12/11/2013	\$ 92.90	Ralphs	Food and goods
5154	12/16/2013	\$ 83.58	Postmaster	Postage
5156	12/17/2013	\$ 147.96	Chicos	Goods
5157	12/19/2013	\$ 272.25	Pix Nn Dubs	Services
5158	12/16/2013	\$ 59.23	Postmaster	Postage
5159	12/17/2013	\$ 115.73	Vons	Food and goods
5161	12/23/2013	\$ 500.00	Camillos Landscape	Services
5162	12/17/2013	\$ 224.00	Skyline Pest Control	Services
5163	12/23/2013	\$ 300.00	Ardvark 21, Inc.	Hawaii HOA
5164	12/20/2013	\$ 400.00	Hunt Club Community Assoc.	Residence HOA
5165	12/16/2013	\$ 105.00	Fred Frankenrath	Hair services
5166	12/18/2013	\$ 135.00	Tiffany & Co.	Goods
5169	12/19/2013	\$ 9.20	Ralphs	Food and goods
5170	12/24/2013	\$ 239.57	Nordstrom Rack	Goods
5171	12/24/2013	\$ 26.99	Marshalls	Goods
5172	12/20/2013	\$ 89.58	Nordstrom	Goods
5173	12/19/2013	\$ 31.62	Marbella Market	Food and goods
5174	12/19/2013	\$ 21.60	Marshalls	Goods
5175	12/23/2013	\$ 329.19	Costco	Food and goods
5178	12/23/2013	\$ 11.28	Shirt Gallery	Goods
5179	12/23/2013	\$ 65.20	Ralphs	Food and goods

5180	12/24/2013	\$ 52.00	Ralphs	Food and goods
Total		\$ 8,889.91		
Deposits	Date	Amount		
	12/2/2013	\$ 1,000.00		
	12/3/2013	\$ 5,000.00		
	12/13/2013	\$ 2,000.00		
Total		\$ 8,000.00		

TOTAL DUE:	\$ 258,419.00
------------	---------------

V. INSURANCE COVERAGE

Homeowners (San Juan Property)	Allstate Insurance	\$ 4,031,350.00	2/16/2014	Monthly
Homeowners (Hawaii Property)	Liberty Mutual	\$ 3,473,400.00	11/18/2013	11/18/2013
Casualty				
Vehicle				
Others:				
	Page 4 of 8			

(Provide a copy of of montly account statements for each of the below)

Tax Account: _____

**Petty Cash (from below):	0.00
----------------------------	------

3,589.81

Amount

[illegible]

0.00

**** Attach Exhibit Itemizing all petty cash transactions**

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

[illegible]

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

[illegible]

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization. Disclosure Statement and Plan of Reorganization are being formulated and anticipated to be filed on or before January 10, 2014.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-

I, **Marc J. Spizzirri**
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

3/26/2014
Date

Page 8 of 8

MJS
Principal for debtor-in-possession

EXHIBIT "B"

000205



EAST WEST BANK

9300 Flair Drive Suite 106
El Monte CA 91731

Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 3
STARTING DATE: December 01, 2013
ENDING DATE: December 31, 2013
Total days in statement period: 31
55-00001247
(10)



19x4s
06099

OZ 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675



Give the perfect gift in the upcoming holiday season. The East West Bank Gift Card can be used at millions of locations where Visa® cards are accepted. Purchase your Card at your nearest East West Bank branch.

Standard Business Checking

Account number	55-00001247	Beginning balance	\$326.87
Enclosures	10	Total additions	(1) 15,000.00
Low balance	\$326.87	Total subtractions	(11) 11,737.86
Average balance	\$4,316.07	Ending balance	\$3,589.01

CREDITS

Number	Date	Transaction Description	Additions
	12-16	Deposit	15,000.00

CHECKS

Number	Date	Amount	Number	Date	Amount
5046	12-17	1,769.69	5053	12-24	319.76
5047	12-20	88.41	5055 *	12-23	3,506.84
5049 *	12-23	1,384.00	5056	12-23	3,681.26
5050	12-18	112.70	5057	12-24	325.00
5051	12-23	177.83	* Skip in check sequence		
5052	12-23	360.37			

DEBITS

Date	Transaction Description	Subtractions
12-31	Maintenance Fee	12.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
11-30	326.87	12-18	13,444.48	12-24	3,601.01
12-16	15,326.87	12-20	13,356.07	12-31	3,589.01
12-17	13,557.18	12-23	4,245.77		





EAST WEST BANK

9300 Flair Drive Suite 106
El Monte CA 91731

MARC JOSEPH SPIZZIRRI

Page 2 of 3

STARTING DATE: December 01, 2013

ENDING DATE: December 31, 2013

55-00001247

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00





EAST WEST BANK

Statement Date
Page

7500901247
12/31/2013
3 of 3

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/13/13

PAY TO THE ORDER OF 5046 \$ 1,769.69

Swanston hundred eight nine and 69/100

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005046 432207038 145500001247*

12/17/2013 5046 \$1,769.69

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/13/13

PAY TO THE ORDER OF 5053 \$ 319.76

Three hundred nineteen and 76/100

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005053 432207038 145500001247*

12/24/2013 5053 \$319.76

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/13/13

PAY TO THE ORDER OF 5047 \$ 88.41

The Gas Company

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005047 432207038 145500001247*

12/20/2013 5047 \$88.41

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/13/13

PAY TO THE ORDER OF 5055 \$ 3,506.84

California Bank & Trust

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005055 432207038 145500001247*

12/23/2013 5055 \$3,506.84

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/13/13

PAY TO THE ORDER OF 5049 \$ 1,384.00

Adelco

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005049 432207038 145500001247*

12/23/2013 5049 \$1,384.00

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/17/13

PAY TO THE ORDER OF 5056 \$ 3,681.26

First Republic Bank

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005056 432207038 145500001247*

12/23/2013 5056 \$3,681.26

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/13/13

PAY TO THE ORDER OF 5050 \$ 112.70

Caltrans

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005050 432207038 145500001247*

12/18/2013 5050 \$112.70

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/17/13

PAY TO THE ORDER OF 5057 \$ 325.00

United States Trust

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005057 432207038 145500001247*

12/24/2013 5057 \$325.00

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/13/13

PAY TO THE ORDER OF 5051 \$ 177.83

Sparkletts

EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005051 432207038 145500001247*

12/23/2013 5051 \$177.83

MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
32773 CALLE PERFECTO
SAN JUAN CAPISTRANO, CA 92675

DATE 12/13/13

PAY TO THE ORDER OF 5052 \$ 360.37

City of San Juan Capistrano

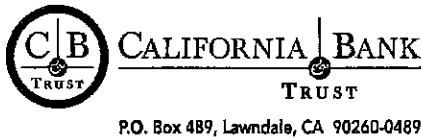
EAST WEST BANK
SAN JUAN CAPISTRANO, CA 92675

005052 432207038 145500001247*

12/23/2013 5052 \$360.37

EXHIBIT "B"

000208



Statement of Accounts

Page 1 of 4

This Statement: December 24, 2013
Last Statement: November 26, 2013

Account 3150179716

DIRECT INQUIRIES TO:

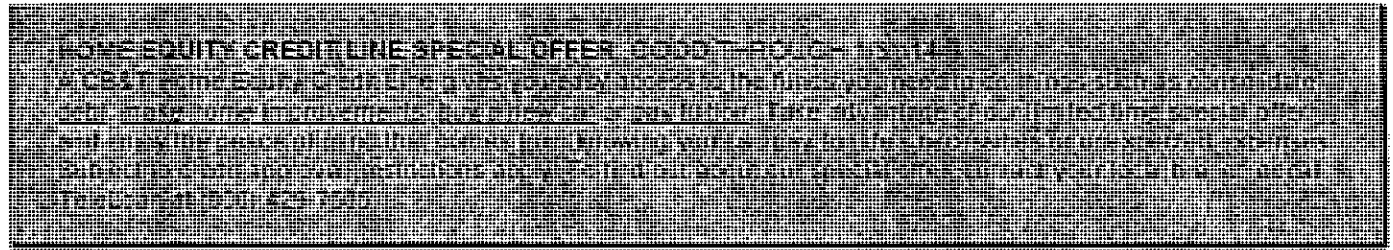
Customer Service 1 (800) 400-6080

0003112

4359-06-1000-CBT-PC0021-00000

CANDACE C SPIZZIRRI
POD MARC SPIZZIRRI
30721 HUNT CLUB DR
SAN JUAN CAPISTRANO CA 92675-1915

San Juan Capistrano
32221 Camino Capistrano
San Juan Capistrano, CA 92675-3721
(949) 248-0100



SUMMARY OF ACCOUNT BALANCE

Account Type	Account Number	Checking/Savings Ending Balance	Outstanding Balances Owed
Classic Checking	3150179716	\$235.17	

CLASSIC CHECKING 3150179716

Previous Balance	Deposits/Credits	Charges/Debits	Checks Processed	Ending Balance
1,125.08	8,000.00	766.13	8,123.78	235.17

3 DEPOSITS/CREDITS

Date	Amount	Description
12/02	1,000.00	DEPOSIT 5370096670
12/03	5,000.00	DEPOSIT 5353097113
12/13	2,000.00	DEPOSIT 5353129165

9 CHARGES/DEBITS

Date	Amount	Description
11/27	116.64	STEVE MADDEN #10 PURCHA 5141 MISSCAREF # 013331003689788 1103839455
12/05	193.80	AUTO PMT CREDIT LINE 3210013006
12/05	199.70	AUTO PMT CREDIT LINE 3210012896
12/13	38.92	RITE AID 05750 PURCHASE 5155 SANJCAREF # 013347001674491 1104837976
12/16	19.74	TARGET T0259 PURCHASE 5160 REF # 013350002125030 1104525466
12/18	11.59	ROSS STORES 8007677457 5168 REF # 013351003325294 1105021822
12/18	42.71	RITE AID 05750 PURCHASE 5167 SANJCAREF # 013352003491189 1105032538
12/20	33.03	CVS CAREMARK 8007467287 5177 REF # 013354004887812 1105534453
12/24	110.00	Credit One Bank Payment 0000065608506 REF # 013357005855655 1104124353

EXHIBIT "B"

000209



MEMBER FDIC

0003112-0000001-0006333

An Easy Approach To Balancing Your Account

Page 2 of 4

To reconcile your checkbook balance to your statement balance: Mark off each entry in your check register that has been charged to your account during the statement period. List the checks you have written, but are not yet charged to your account in the "Checks Outstanding" column below. Then, follow the instructions in lines 1 through 10.

[illegible]

Transfer to Line 9.

CHECKBOOK BALANCE	
1. LIST your checkbook balance.	
2. ADD any deposits or other credits listed on the front of this statement which you have not recorded in your checkbook (such as payroll credits or other direct electronic deposits).	
3. SUBTOTAL:	
4. SUBTRACT any charges listed on the front of this statement which you have not recorded (such as service charges, automatic transfers, electronic transactions, etc).	
5. ADJUSTED CHECKBOOK BALANCE:	

This balance should agree with line 10, below.

STATEMENT BALANCE	
6. LIST your current statement balance as shown on the front of this statement.	
7. ADD deposits made, but not shown on this statement.	
8. SUBTOTAL:	
9. SUBTRACT total from "Checks Outstanding."	
10. ADJUSTED STATEMENT BALANCE:	

This balance should agree with line 5, above.

PROMPTLY EXAMINE YOUR STATEMENT AND REPORT ANY PROBLEM

You must promptly examine your account statements and report any discoverable errors, unauthorized signatures, alterations, missing endorsements, or unauthorized transfers. Failure to do so may result in your loss of certain rights or remedies. For example, you must identify the discoverable alteration or forgery of a check within 30 days of us sending you, or making available to you, the statement reflecting that check, and you must also immediately report to us what you find. Businesses should check their account transactions daily, for which various online services are available. For additional information, please see your deposit account agreement and application service agreement(s) for details. See also the consumer disclosures below.

CONSUMER ACCOUNTS: IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS OR MONEY RESERVE TRANSACTIONS

if you think your statement is wrong, or if you need more information about a transfer on this statement or on a receipt, please telephone or write us. Please use the telephone number or address listed on the front of this statement to contact us as you can. We must hear from you no later than 60 days after we sent or made available the FIRST statement on which the problem or error appeared. The provisions in this paragraph do not apply to business or other non-personal accounts. The owners of those accounts must settle all unauthorized transactions or errors within 24 hours of receipt of the item posting in order to be returned.

1. Tell us your name and account number.
2. Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and correct any error promptly. If we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

FOR MONEY RESERVE ACCOUNTS:

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR PERSONAL CREDIT LINE

(This is a Summary of Your Billing Rights).

If you think your statement is wrong, or you need more information about a transaction on your statement, write us at the address on the front of this statement as soon as possible. We must hear from you no later than 60 days after we sent you the first statement on which the error or problem appeared.

You can telephone us but doing so will not preserve your rights. In your letter, give us the following information.

1. Your name and account number.
2. The dollar amount of the suspected error.
3. Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question. You must notify us in writing. You can telephone us, but doing so will not preserve your rights. Contact us at California Bank & Trust, P.O. Box 25787, Salt Lake City, UT 84125-0787.

Balance Subject to Interest Rate: We use the method called "average daily balance", (including current transactions) to calculate the daily balance. If you have any further questions about the method and how resulting interest charges are determined, please feel free to contact us at 1-800-400-6080.

We may report information about your Money Reserve account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please notify us if we report any inaccurate information about your account(s) to a credit bureau. Your written notice describing the specific inaccuracy should be sent to us at the following address: California Bank & Trust, PO Box 25787, Salt Lake City, UT 84125-0787.

Thank you for banking with California Bank & Trust.

Become an Online Banking Customer for 24-hour account access.

• Review account balances • Review posted transactions • Pay bills • Transfer funds
Sign up today at www.calbanktrust.com or call 888-217-1265.

EXHIBIT "B"

000210



CALIFORNIA BANK
TRUST

P.O. Box 489, Lawndale, CA 90260-0489

Page 3 of 4
December 24, 2013
CANDACE C SPIZZIRRI
3150179716

38 CHECKS PROCESSED

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
5132	12/02	22.00	5150	12/10	144.68	5165	12/16	105.00
5136*	11/27	100.00	5151	12/10	252.96	5166	12/18	135.00
5138*	11/27	120.00	5152	12/10	81.22	5169*	12/19	9.20
5139	11/27	316.84	5153	12/11	92.90	5170	12/24	239.57
5140	11/29	21.19	5154	12/16	83.58	5171	12/24	26.99
5142*	11/29	349.49	5156*	12/17	147.96	5172	12/20	89.58
5143	12/02	134.95	5157	12/19	272.25	5173	12/19	31.62
5144	12/05	2,594.80	5158	12/16	59.23	5174	12/19	21.60
5145	12/09	118.10	5159	12/17	115.73	5175	12/23	329.19
5146	12/09	160.61	5161*	12/23	500.00	5178*	12/23	11.28
5147	12/10	32.39	5162	12/17	224.00	5179	12/23	65.20
5148	12/10	62.56	5163	12/23	300.00	5180	12/24	52.00
5149	12/11	300.11	5164	12/20	400.00			

* Not in check sequence

AGGREGATE OVERDRAFT AND RETURNED ITEM FEES

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.

DAILY BALANCES

Date	Balance	Date	Balance	Date	Balance
11/27	471.60	12/10	2,103.15	12/18	2,726.68
11/29	100.92	12/11	1,710.14	12/19	2,392.01
12/02	943.97	12/13	3,671.22	12/20	1,869.40
12/03	5,943.97	12/16	3,403.67	12/23	663.73
12/05	2,955.67	12/17	2,915.98	12/24	235.17
12/09	2,676.96				



California Bank & Trust

Page 4 of 4

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EXHIBIT "B"

000212

In re: Marc Joseph Spizzirri Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
--	--

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **(AMENDED) OPERATING REPORT NO. 7** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 26, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

3/26/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702 MW
--	------------	--

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- James Andrew Hinds jhinds@jhindslaw.com, zbilowit@jhindslaw.com
- Stephen E Hyam shyam@clarktrev.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@intlax.com, jokeefe@intlax.com;nlockwood@intlax.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com, pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Paul R Shankman pshankman@jhindslaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@intlax.com, nlockwood@intlax.com;jokeefe@intlax.com
- United States Trustee (SA) ustregion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com
- Barouir B Yeretian byeretian@jhindslaw.com, yeretzian@gmail.com

Exhibit "C"

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE UNITED STATES TRUSTEE
CENTRAL DISTRICT OF CALIFORNIA

In Re: MARC JOSEPH SPIZZIRRI <div style="text-align: right;">Debtor(s).</div>	CHAPTER 11 (NON-BUSINESS) Case Number: 8:13-bk-14702 MW Operating Report Number: 9 For the Month Ending: 28-Feb-14
---	---

I. CASH RECEIPTS AND DISBURSEMENTS
A. (GENERAL ACCOUNT* AND SPOUSE)

1. TOTAL RECEIPTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$	157,825.27
2. LESS: TOTAL DISBURSEMENTS PER ALL PRIOR GENERAL ACCOUNT REPORTS	\$	156,681.62
	\$	-
3. BEGINNING BALANCE:	\$	1,153.65
4. RECEIPTS DURING CURRENT PERIOD:	\$	3,650.00
5. BALANCE:	\$	4,803.65
6. LESS: TOTAL DISBURSEMENTS DURING CURRENT PERIOD	\$	5,523.11
7. ENDING BALANCE:		<\$719.46>
8. General Account No.:	55-00001247	
Spouse Account No:	3150179716	
Family Equities Account No. (Personal Disb. Only)	321007891	
Depository Name & Location:	EastWest Bank	California Bank & Trust
	9300 Flair Drive, Suite 106	PO Box 489
	El Monte, CA 91731	Lawndale, CA 90260
		California Bank & Trust
		PO Box 489
		Lawndale, CA 90260

* All receipts must be deposited into the general account.

** Include receipts from the sale of any real or personal property out of the ordinary course of business; attach an exhibit specifying what was sold, to whom, terms, and date of Court Order or Report of Sale.

***This amount should be the same as the total from page 2.

TOTAL DISBURSEMENTS FROM GENERAL ACCOUNT (DIP) FOR CURRENT PERIOD

[illegible]

TOTAL DISBURSEMENTS THIS PERIOD:

662.00

EXHIBIT "C"

000216

GENERAL ACCOUNT
BANK RECONCILIATIONBank statement Date: 2/28/2014 Balance on Statement: \$277.76

Plus deposits in transit (a):

<u>Deposit Date</u>	<u>Deposit Amount</u>

TOTAL DEPOSITS IN TRANSIT

Less Outstanding Checks (a):

<u>Check Number</u>	<u>Check Date</u>	<u>Check Amount</u>

TOTAL OUTSTANDING CHECKS:

Bank statement Adjustments:

Explanation of Adjustments-

ADJUSTED BANK BALANCE:

* It is acceptable to replace this form with a similar form

** Please attach a detailed explanation of any bank statement adjustment

Spouse Bank Account - 9716

California Bank Trust

Check No.	Date	Amount	Payee	Purpose
Auto (5207)	1/29/2014	\$ 96.37	Paypal	Goods
Auto	2/3/2014	\$ 852.62	Progressive Mgmt.	
Auto (5224)	2/12/2014	\$ 42.93	Macy's	Goods
Auto (5226)	2/18/2014	\$ 25.34	Rite Aid	Goods
5193	2/4/2014	\$ 206.00	Aardvark, Inc.	Pool maintenance
5201	1/29/2014	\$ 131.73	Community Orthopedic	Medical
5206	2/3/2014	\$ 168.29	Heba Fargag, M.D.	Medical
5209	1/29/2014	\$ 65.00	Bella Nails	Nail services
5210	1/28/2014	\$ 200.00	Quest Diagnostics	Medical
5214	2/5/2014	\$ 16.00	Kim Abrams	Services
5215	1/28/2014	\$ 57.78	Nordstrom	Goods
5216	2/10/2014	\$ 78.40	U.S. Postmaster	Postage
5217	2/10/2014	\$ 31.84		
5218	2/6/2014	\$ 32.13	Ralphs	Food and goods
5219	2/7/2014	\$ 51.25	Ralphs	Food and goods
5220	2/11/2014	\$ 64.79	Petco	Pet supplies
5221	2/12/2014	\$ 111.53	Healthworks	Medical
5222	2/13/2014	\$ 46.88	Vons	Food and goods
5223	2/13/2014	\$ 155.31	Ralphs	Food and goods
5225	2/14/2014	\$ 210.00	Kat Jackson	Services
5227	2/18/2014	\$ 177.24	Costco	Food and goods
5228	2/19/2014	\$ 9.71	Vons	Food and goods
5229	2/21/2014	\$ 21.00	Petco	Pet supplies
5230	2/18/2014	\$ 64.39	Ralphs	Food and goods
5231	2/21/2014	\$ 449.48	City of San Juan Capistrano	Maintence
5232	2/20/2014	\$ 112.37	Costco	Food and goods
5233	2/20/2014	\$ 18.77	Ralphs	Food and goods
5235	2/26/2014	\$ 78.24	Chicos	Goods
Total		\$ 3,575.39		
Deposits	Date	Amount		
	1/31/2014	\$ 2,000.00		
	2/18/2014	\$ 1,000.00		
Total		\$ 3,000.00		

Family Equities - Calif. Bank Trust - Bank Account - 7891

Check No.	Date	Amount	Payee	Purpose
4035	8/28/2013	\$ 199.26	San Diego Gas & Electric	Utilities
4077	11/22/2013	\$ 1,086.46	First Republic Bank	Mortgage
Total		\$ 1,285.72		

AND OTHER PARTIES TO EXECUTORY CONTRACTS

TOTAL DUE:	\$ 302,023.00
------------	---------------

V. INSURANCE COVERAGE

Page 4 of 8

(Provide a copy of of montly account statements for each of the below)

*Other Accounts:		
*Other Monies:		
***Petty Cash (from below):		0.00

277.76

[illegible]

0.00

**** Attach Exhibit Itemizing all petty cash transactions**

VI. UNITED STATES TRUSTEE QUARTERLY FEES (TOTAL PAYMENTS)

[illegible]

* Post-Petition Accounts Payable SHOULD NOT include professionals' fees and expenses which have been incurred but not yet awarded by the court. Post-Petition Accounts Payable SHOULD include professionals' fees and expenses authorized by Court Order but which remain unpaid as of the close of the period report

VI SCHEDULE OF COMPENSATION PAID TO INSIDERS

Name of Insider	Date of Order Authorizing Compensation	*Authorized Gross Compensation	Gross Compensation Paid During the Month
n/a			

VII. SCHEDULE OF OTHER AMOUNTS PAID TO INSIDERS

Name of Insider	Date of Order Authorizing Compensation	Description	Amount Paid During the Month
n/a			

* Please indicate how compensation was identified in the order (e.g. \$1,000/week, \$2,500/month)
Page 7 of 8

EXHIBIT "C"

000223

1. Has the debtor-in-possession made any payments on its pre-petition unsecured debt, except as have been authorized by the court? If "Yes", explain below: No Yes
X _____
-
2. Has the debtor-in-possession during this reporting period provided compensation or remuneration to any officers, directors, principals, or other insiders without appropriate authorization? If "Yes", explain below: No Yes
X _____
-
3. State what progress was made during the reporting period toward filing a plan of reorganization. Hearing on approval of the Debtor's Amended Disclosure Statement is scheduled for June 18, 2014.
-
4. Describe potential future developments which may have a significant impact on the case:
5. Attach copies of all Orders granting relief from the automatic stay that were entered during the reporting period.
6. Did you receive any exempt income this month, which is not set forth in the operating report? If "Yes", please set forth the amounts and sources of the income below. No Yes
X _____
-
- I, Marc J. Spizzirri
declare under penalty of perjury that I have fully read and understood the foregoing debtor-in-possession operating report and that the information contained herein is true and complete to the best of my knowledge.

3/26/2014

Date

Page 8 of 8


Principal for debtor-in-possession

EXHIBIT "C"

000224

EAST WEST BANK *Your Financial Bridge*
9300 Flair Drive Suite 108
El Monte CA 91731

Direct inquiries to:
888 895-5650

ACCOUNT STATEMENT

Page 1 of 2
STARTING DATE: February 01, 2014
ENDING DATE: February 28, 2014
Total days in statement period: 28
55-00001247
(1)



2764m
01733

OZ 01
MARC JOSEPH SPIZZIRRI
CHAPTER 11 DEBTOR IN POSSESSION
CASE NO. 13-14702
33033 CAMINO CAPISTRANO
SAN JUAN CAPISTRANO CA 92675

Have your paycheck deposited safely and quickly with Direct Deposit. It saves you a trip to the bank and your money will be deposited to your account electronically. Simply provide our routing number 322070381 and your account number to the payroll department of your company.



Standard Business Checking

Account number	55-00001247	Beginning balance	\$289.76
Enclosures	1	Total additions	650.00 (1)
Low balance	\$289.76	Total subtractions	662.00 (2)
Average balance	\$475.47	Ending balance	\$277.76

CREDITS

Number	Date	Transaction Description	Additions
	02-19	Deposit TLR 3903 BR 8039	650.00

CHECKS

Number	Date	Amount	Number	Date	Amount
5062	02-27	650.00			

DEBITS

Date	Transaction Description	Subtractions
02-28	Maintenance Fee	12.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
01-31	289.76	02-27	289.76		
02-19	939.76	02-28	277.76		

OVERDRAFT/RETURN ITEM FEES

	Total for this period	Total year-to-date
Total Overdraft Fees	\$0.00	\$30.00
Total Returned Item Fees	\$0.00	\$0.00

1733-2/05



3409

rev 05-10

EXHIBIT "C"

000225



Checking Account 5500001247
Statement Date 02/28/2014
Page 2 of 2

MAIC JOSEPH W. SWEET
CASH FOR DEPOSIT
DATE 2/19/14
AMOUNT \$650.00
02/27/2014 5062 \$650.00





Statement of Accounts

Page 1 of 4

This Statement: February 26, 2014
Last Statement: January 27, 2014

Account 3150179716

DIRECT INQUIRIES TO:

Customer Service 1 (800) 400-6080

0003007

4058-06-0000-CBT-PG0021-00000

CANDACE C SPIZZIRRI
POD MARC SPIZZIRRI
30721 HUNT CLUB DR
SAN JUAN CAPISTRANO CA 92675-1915

San Juan Capistrano
32221 Camino Capistrano
San Juan Capistrano, CA 92675-3721
(949) 248-0100

SUMMARY OF ACCOUNT BALANCE

Account Type	Account Number	Checking/Savings Ending Balance	Outstanding Balances Owed
Classic Checking	3150179716	\$268.50	

CLASSIC CHECKING 3150179716

Previous Balance	Deposits/Credits	Charges/Debits	Checks Processed	Ending Balance
843.89	3,000.00	1,017.26	2,558.13	268.50

2 DEPOSITS/CREDITS

Date	Amount	Description
01/31	2,000.00	DEPOSIT 5353129738
02/18	800.00	DEPOSIT 5353154440

4 CHARGES/DEBITS

Date	Amount	Description
01/29	96.37	PAYPAL/EBAY MC CHECK PY 5207 REF # 014028001428856 1104007995
02/03	852.62	Progressive Mgmt 800258 90737221 REF # 014034003755649 1108550568
02/12	42.93	MACYS 0526 ELEC CHECK 5224 MISSCAREF # 014043009054024 1104636395
02/18	25.34	RITE AID 05750 PURCHASE 5226 SANJCAREF # 014049001206784 1104857056

24 CHECKS PROCESSED

Number	Date	Amount	Number	Date	Amount	Number	Date	Amount
5193	02/04	206.00	5217	02/10	31.84	5227*	02/18	177.24
5201*	01/29	131.73	5218	02/08	32.13	5228	02/19	9.71
5206*	02/03	168.29	5219	02/07	51.25	5229	02/21	21.00
5209*	01/29	65.00	5220	02/11	64.79	5230	02/18	64.39
5210	01/28	200.00	5221	02/12	111.53	5231	02/21	449.48
5214*	02/05	16.00	5222	02/13	46.88	5232	02/20	112.37
5215	01/28	57.78	5223	02/13	155.31	5233	02/20	18.77
5216	02/10	78.40	5225*	02/14	210.00	5235*	02/26	78.24

* Not in check sequence

AGGREGATE OVERDRAFT AND RETURNED ITEM FEES

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.



MEMBER FDIC

EXHIBIT "C"

000227 00000001-0004959

An Easy Approach To Balancing Your Account

Page 2 of 4

To reconcile your checkbook balance to your statement balance: Mark off each entry in your check register that has been charged to your account during the statement period. List the checks you have written, but are not yet charged to your account in the "Checks Outstanding" column below. Then, follow the instructions in lines 1 through 10.

[illegible]

Transfer to Line 9.

CHECKBOOK BALANCE	
1. LIST your checkbook balance.	
2. ADD any deposits or other credits listed on the front of this statement which you have not recorded in your checkbook (such as payroll credits or other direct electronic deposits).	
3. SUBTOTAL:	
4. SUBTRACT any charges listed on the front of this statement which you have not recorded (such as service charges, automatic transfers, electronic transactions, etc).	
5. ADJUSTED CHECKBOOK BALANCE:	

This balance should agree with line 10, below.

STATEMENT BALANCE	
6. LIST your current statement balance as shown on the front of this statement.	
7. ADD deposits made, but not shown on this statement.	
8. SUBTOTAL:	
9. SUBTRACT total from "Checks Outstanding."	
10. ADJUSTED STATEMENT BALANCE:	

This balance should agree with line 5, above.

PROMPTLY EXAMINE YOUR STATEMENT AND REPORT ANY PROBLEM

You must promptly examine your account statements and report any discoverable errors, unauthorized signatures, alterations, missing endorsements, or unauthorized transfers. Failure to do so may result in your loss of certain rights or remedies. For example, you must timely file the discoverable alteration or forgery of a check within 30 days of us sending you, or making available to you, the statement reflecting that check, and you must also immediately report to us what you find. Businesses should check their account transactions daily, for which various online services are available. For additional information, please see your deposit account agreement and application service agreement(s) for details. See also the consumer disclosures below.

CONSUMER ACCOUNTS: IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS OR MONEY RESERVE TRANSACTIONS

If you think your statement is wrong, or if you need more information about a transfer on this statement or on a receipt, please telephone or write us. Please use the telephone number or address listed on the front of this statement to contact us as you can. We must hear from you no later than 60 days after we sent or made available the FIRST statement on which the problem or error appeared. The provisions in this paragraph do not apply to business or other non-personal accounts. The owners of those accounts must settle all unauthorized transactions or errors within 24 hours of receipt of the item posting in order to be reformed.

1. Tell us your name and account number.
2. Describe the error or transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
3. Tell us the dollar amount of the suspected error.

We will investigate your complaint and correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

FOR MONEY RESERVE ACCOUNTS:

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR PERSONAL CREDIT LINE

(This is a Summary of Your Billing Rights)

If you think your statement is wrong, or you need more information about a transaction on your statement, write us at the address on the front of this statement as soon as possible. We must hear from you no later than 60 days after we sent you the first statement on which the error or problem appeared.

You can telephone us but doing so will not preserve your rights. In your letter, give us the following information.

1. Your name and account number.
2. The dollar amount of the suspected error.
3. Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. The charges in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question. You must notify us in writing. You can telephone us, but doing so will not preserve your rights. Contact us at California Bank & Trust, PO Box 25787, Salt Lake City, UT 84125-0787.

Balance Subject to Interest Rate: We use the method called "average daily balance", (including current transactions) to calculate the daily balance. If you have any further questions about the method and how resulting interest charges are determined, please feel free to contact us at 1-800-400-8080.

We may report information about your Money Reserves account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

Please notify us if we report any inaccurate information about your account(s) to a credit bureau. Your written notice describing the specific inaccuracy should be sent to us at the following address: California Bank & Trust, PO Box 26787, Salt Lake City, UT 84125-0787.

Thank you for banking with California Bank & Trust

Become an Online Banking Customer for 24-hour account access.

• Review account balances • Review posted transactions • Pay bills • Transfer funds
Sign up today at www.calbanktrust.com or call 888-217-1265.



P.O. Box 489, Lawndale, CA 90260-0489

Page 3 of 4
February 26, 2014
CANDACE C SPIZZIRRI
3150179716

DAILY BALANCES

Date.....	Balance	Date.....	Balance	Date.....	Balance
01/28	586.11	02/06	1,017.97	02/14	225.04
01/29	293.01	02/07	966.72	02/18	958.07
01/31	2,293.01	02/10	856.48	02/19	948.36
02/03	1,272.10	02/11	791.69	02/20	817.22
02/04	1,068.10	02/12	637.23	02/21	346.74
02/05	1,050.10	02/13	435.04	02/26	268.50



MEMBER FDIC

EXHIBIT "C"

000229 004959

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EXHIBIT "C"

000230

In re: Marc Joseph Spizzirri Debtor(s).	CHAPTER: 11 CASE NUMBER: 8:13-bk-14702 MW
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

840 Newport Center Drive
Suite 750
Newport Beach, CA 92660

A true and correct copy of the foregoing document entitled: **OPERATING REPORT NO. 9** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **March 26, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL:** On _____ I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on _____ I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

3/26/2014
Date

Nancy Lockwood
Printed Name

/s/ Nancy Lockwood
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**

In re: Marc Joseph Spizzirri	Debtor(s).	CHAPTER 11 CASE NUMBER 8:13-bk-14702 MW
--	------------	--

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- James Andrew Hinds jhinds@jhindslaw.com, zbilowit@jhindslaw.com
- Stephen E Hyam shyam@clarktrev.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@intlax.com, jokeefe@intlax.com;nlockwood@intlax.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com, pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Paul R Shankman pshankman@jhindslaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@intlax.com, nlockwood@intlax.com;jokeefe@intlax.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wglp.com, lfisk@wglp.com
- Barouir B Yeretian byeretian@jhindslaw.com, yeretzian@gmail.com

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

OFFICE OF THE U.S. TRUSTEE, 411 W. 4th St., #9041, Santa Ana, CA 92701

A true and correct copy of the foregoing document entitled (*specify*): **SUPPLEMENT IN SUPPORT OF U.S. TRUSTEE'S MOTION TO CONVERT CASE TO CHAPTER 7 PURSUANT TO 11 U.S.C. §1112(b); EXHIBITS** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **April 3, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

SEE ATTACHED PAGE

2. SERVED BY UNITED STATES MAIL: On **April 3, 2014**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Marc Joseph Spizzirri
30721 Hunt Club Drive
San Juan Capistrano, CA 92675

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **April 3, 2014**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Mark S. Wallace--bin on the 6th fl.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

4/3/14
Date

Daniel Sheehan
Printed Name

/s/ Daniel Sheehan
Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **April 3, 2014**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Dan E Chambers dchambers@clfca.com
- Ronald R Cohn rcohn@horganrosen.com
- Caroline Djang cdjang@rutan.com
- Nichole Glowin nglowin@wrightlegal.net, bkgroup@wrightlegal.net
- Robert P Goe , rgoe@goeforlaw.com;mforsythe@goeforlaw.com
- Christina Goebelsmann cgoebelsmann@wargofrench.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Brian T Harvey bharvey@buchalter.com, IFS_filing@buchalter.com;rreeder@buchalter.com
- James Andrew Hinds jhinds@jhindslaw.com, zbilowit@jhindslaw.com
- Stephen E Hyam shyam@clarktrev.com
- John Mark Jennings jjennings@shbllp.com
- Elizabeth A Lossing elizabeth.lossing@usdoj.gov
- Mike D Neue mneue@lntlaw.com, jokeefe@lntlaw.com;nlockwood@lntlaw.com
- Tom Roddy Normandin tnormandin@pnbd.com, nwong@pnbd.com
- Robert E Opera ropera@winthropcouchot.com,
pj@winthropcouchot.com;vcorbin@winthropcouchot.com;jstuhlmiller@winthropcouchot.com
- Eric S Pezold epezold@swlaw.com, dwlewis@swlaw.com
- Brett Ramsaur bramsaur@swlaw.com, kcollins@swlaw.com
- Todd C. Ringstad becky@ringstadlaw.com
- Paul R Shankman pshankman@jhindslaw.com
- Leonard M Shulman lshulman@shbllp.com
- Scott O Smith ssmith@buchalter.com
- Derrick Talerico dtalerico@lntlaw.com, nlockwood@lntlaw.com;jokeefe@lntlaw.com
- United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov
- Michael J. Weiland mweiland@wgllp.com, lfisk@wgllp.com
- Barouir B Yeretian byeretian@jhindslaw.com, yeretzian@gmail.com